

Stop Child Executions! Leaflet

During the past decade and a half, more than 30 people around the world have been executed for crimes committed when they were children. The use of the death penalty against child offenders – people under 18 at the time of the crime – is clearly prohibited under international law yet a handful of countries persist with such executions.

Between 1990 and November 2003 Amnesty International documented 34 executions of child offenders in eight countries – China, the Democratic Republic of Congo, Iran, Nigeria, Pakistan, Saudi Arabia, the USA and Yemen. The USA carried out 19 executions – more than all other countries combined.

Execution of child offenders across the world: A practice in decline

During the same period, several countries raised to 18 the minimum age for application of the death penalty; in accordance with international law: **Yemen** and **Zimbabwe** raised the minimum age to 18 in 1994 as did **China** in 1997 and **Pakistan** in 2000 (in most of the country). A similar move is under way in **Iran**.

Since the beginning of 2000 Amnesty International has documented child executions in five countries:

[DIAGRAM]

- China raised the minimum age for the death penalty to 18 in 1997, but in January 2003 Zhao Lin was executed for a murder committed in 2000 when he was 16 years old.
- In the Democratic Republic of Congo, Kasongo, a 14-year-old child soldier, was executed in January 2000 within half an hour of his trial by a special military court. The special military courts have since been abolished.
- In Iran, executions of child offenders were reported in 2000 and 2001. A bill to raise the minimum age to 18 was reportedly due to be introduced in parliament in late 2003.
- Pakistan banned the use of the death penalty against child offenders in most of the country in 2000, but scores of child offenders remain under sentence of death. In November 2001 Sher Ali was hanged for a murder committed in 1993 when he was 13 years old.
- The USA executed four child offenders in 2000, one in 2001, three in 2002 and one in April 2003. Six of the nine children were in the state of Texas. The USA is the only country that openly executes child offenders within its regular criminal justice system and claims for itself the right to do so.

[BOX]

Napoleon Beazley was executed in Texas in 2002 for a murder he had committed eight years ago, when he was seventeen years old. During the trial the white prosecutor described him as an "animal" before a jury composed exclusively of whites. In court, several witnesses talked about his potential rehabilitation. He was a model prisoner.

(Ireland and Rena Beazley hold a photograph of their son, Napoleon ©AI)

CHILD EXECUTIONS VIOLATE INTERNATIONAL LAW

Article 37(a) of the UN Convention on the Rights of the Child states:

"[No capital punishment...shall be imposed for offences committed by persons below eighteen years of age."

The same prohibition appears in three other international human rights treaties - the International Covenant on Civil and Political Rights, the American Convention on Human Rights and the African Charter on the Rights and Welfare of the Child.

All but one country, the USA, have ratified at least one of these treaties without making a reservation to the prohibition. In so doing, they have committed themselves under international law to respect the prohibition. The Inter-American Commission on Human Rights has held that the prohibition of executing child offenders is a norm of *jus cogens* – a rule of international law which all states must obey.

STOP CHILD EXECUTIONS!

"The overwhelming international consensus that the death penalty should not apply to juvenile offenders stems from the recognition that young persons, because of their immaturity, may not fully comprehend the consequences of their actions and should therefore benefit from less severe sanctions than adults," said Mrs. Robinson. "More importantly, it reflects the firm belief that young persons are more susceptible to change, and thus have a greater potential for rehabilitation than adults."

Mary Robinson, former UN High Commissioner for Human Rights, August 2002

OUR CAMPAIGN

Amnesty International believes that the death penalty violates the right to life and is the ultimate cruel, inhuman and degrading punishment. As a step towards total abolition of the death penalty, Amnesty International is campaigning with other organizations to end its use against child offenders throughout the world.

WE ARE CALLING FOR:

- An immediate end to all executions of child offenders.
- All existing death sentences against child offenders to be commuted.
- All countries that retain the death penalty to ensure that its use against child offenders is precluded by law.
- Such countries to take measures to ensure that their courts do not sentence child offenders to death, including, where necessary, the examination of birth certificates. Where systems of issuing birth certificates do not exist, such systems should be introduced, as required under Article of the Convention on the rights of the Child.

To take part in the campaign, or for further information, contact your local Amnesty International section (see box right) or:

Amnesty International, International Secretariat,
Peter Benenson House, 1 Easton Street,
London WC1X 0DW, United Kingdom.

www.amnesty.org/deathpenalty

AI Index: ACT 50/002/2004