
amnesty international

UNITED STATES OF AMERICA

An open letter to President George W. Bush calling for a moratorium on federal executions

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Dear Mr. President,

On 16 May 2001, Timothy McVeigh is scheduled to become the first federal prisoner to be executed in the United States of America since 1963. Amnesty International urges you to prevent this retrograde step by announcing an immediate moratorium on all federal executions.

The crime of which Timothy McVeigh was convicted shocked the conscience of the world and caused immeasurable suffering to hundreds of people - not only the victims and survivors of the bombing itself, but their family members as well.

Such suffering deserves compassion, respect and justice. As an organization that works with and on behalf of victims of human violence on a daily basis, Amnesty International has the utmost sympathy for the families and friends of those killed in the Oklahoma City bombing. Nevertheless, the organization unreservedly opposes the planned killing of Timothy McVeigh, as it does all executions, in the belief that such a policy represents no more than a continuation of the cycle of violence it purports to confront. By imitating what it seeks to condemn - the deliberate taking of human life - society will once again have allowed violence and vengeance to gain the upper hand. Justice will not have been served.

In a country where judicial killing has increasingly come to be seen as an issue of "victims' rights", a growing number of murder victims' relatives are challenging the death penalty. The organization Murder Victims' Families for Reconciliation, opposing the execution of Timothy McVeigh, has said: "We believe that cold calculated killing by our government, replicating the very act of violence that brought us to pain, dishonors the lives and memories of our beloved. The ritual of executions damages all of us in society, and creates another grieving family. With the focus on putting someone to death, capital punishment makes icons of our murderers, while the lives of victims are forgotten and the needs of survivors are often ignored."

Mr President, at your inauguration, you promised to be a leader who would "speak for greater justice and compassion". With this in mind, we urge you to recall not only article 3 of the Universal Declaration of Human Rights - "everyone has the right to life" - but also article 16, which states that "the family... is entitled to protection by society and the State". The death

penalty not only kills, but in so doing brutalizes society and creates more grieving relatives. Surely the compassion and justice deserved by those who have lost loved ones to murder cannot be met by extending the suffering to more people?

Not all of the family members of those killed in Oklahoma believe that the execution of Timothy McVeigh will bring them “closure”. For example, Bud Welch, whose 23-year-old daughter Julie was killed in the bombing, says of this false promise: “The execution of Timothy McVeigh will not bring back Julie or her colleagues, nor will it end the grieving for any one of the victims of the Oklahoma City bombing. Revenge and hate are the reasons 168 people died that day in 1995. I oppose the death penalty absolutely, in all cases, because in all cases it is an act of revenge and hatred.”

In the 38 years since the USA’s last federal execution, the world has made remarkable strides towards ridding itself of a punishment that belongs to times now past. In 1963, just 10 countries had abolished the death penalty. Today, 108 countries have abandoned judicial killing in law or practice – a clear majority.

In addition, the world has taken a major step towards establishing a permanent international criminal court to try those convicted of what are considered to be the most heinous crimes: genocide, war crimes and other crimes against humanity. A sign that the tide has irrevocably turned against the death penalty is that this punishment will have no place in the court.

In this context, there is little doubt that the USA’s continued use of the death penalty is damaging the country’s image abroad and severely undermining its claims to be a standard bearer for human rights. And it is in this context, Mr President, that the imminent resumption of federal executions provides you with a singular opportunity to demonstrate that the USA is willing to join the international community in its aspirations to put an end to this particular human rights violation.

It is notable how many countries have turned away from the death penalty as they emerge from periods marked by particular violence. Such countries have come to understand that the death penalty is a symptom of a culture of violence, not a solution to it. We urge you to reflect upon this, and to respond to the terrible violence that was wrought upon Oklahoma City on 19 April 1995 by announcing that you will begin to lead your country away from a punishment that adopts the philosophy of the murderer. This would be an act of courageous leadership.

History shows that leaders have not waited passively for public opinion to turn against the death penalty before guiding their countries down the abolitionist path. Such a way has begun to be paved in the US by a long-term supporter of the death penalty, Governor George Ryan, who suspended executions in Illinois because of his deep disquiet about the fairness and reliability of that state’s capital justice system.

Since that decision, national concern about the death penalty has reached unprecedented levels. Governor Ryan’s courageous move has paved the way for other political leaders from all sides of the political spectrum to join calls for a moratorium on executions elsewhere in the US, in light of the overwhelming evidence that capital justice across the country is indelibly marked by discrimination, arbitrariness and error.

It was in the midst of this growing national concern that the US Justice Department revealed the findings of its review into the federal capital justice system on 12 September 2000. The review confirmed the presence of widespread racial and geographic disparities in the application of the federal death penalty, despite the Department's best efforts to ensure consistency in capital sentencing.

Amnesty International has found that many of the more than 700 executions carried out at state level in the USA since 1977 violated international human rights safeguards, including the execution of child offenders, the mentally impaired, individuals whose guilt remained in doubt, foreign nationals denied their consular rights, and scores of people denied the quality of defense representation demanded under international legal standards.

The US death penalty is thus an international human rights scandal that cries out for principled leadership at the highest level. We urge you to lead the individual states by example by declaring a moratorium on federal executions, and commuting the death sentences of all prisoners on federal death row.

At this crucial moment, you are in a position to make a lasting contribution to the promotion and protection of fundamental human rights by acknowledging that the death penalty is inconsistent with the United States' stated commitment to universal aspirations of justice and human dignity. Amnesty International urges you to grasp this historic opportunity.

We recall remarks you made on 19 February at the dedication of the Oklahoma City National Memorial. You said: "In every family, and in every school, we must teach our children to know and choose the good, to teach values that defeat violence". Amnesty International believes that judicial killing teaches the opposite. We urge you not to allow federal executions to resume, as a first step towards ending a policy that promotes, rather than undermines, a culture of violence.

We urge you to demonstrate that even in the face of terrible crimes, US society can and will reject the morality of the murderer.

Yours sincerely,

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