

PACE 064 (2014)

PACE rapporteur calls on the state of Texas not to execute Ramiro Hernandez Llanas

Strasbourg, 08.04.2014 – Marietta Karamanli (France, SOC), rapporteur general on the abolition of the death penalty for the Parliamentary Assembly of the Council of Europe (PACE), called on the Texan authorities today not to execute Ramiro Hernandez Llanas, a Mexican national sentenced to death in February 2000, whose execution is scheduled for 9 April in Texas.

"Hernandez Llanas was deprived of his right to request consular assistance, to which he was entitled under the Vienna Convention and in the light of the judgment handed down by the International Court of Justice (ICJ) in the Avena case (Mexico v. United States of America)," said the rapporteur.

The ICJ had ruled in the Avena case that the United States had violated article 36 of the Vienna Convention on Consular Relations (VCCR) in the cases of 51 Mexican men who had been sentenced to death in the United States. The ICJ ordered the USA to provide judicial "review and reconsideration" of the convictions and sentences to determine if the defence of these individuals had been harmed by the VCCR violations.

"It is unacceptable that the United States, an Observer State of the Council of Europe, fails to implement a judgment of the International Court of Justice. The violation of the VCCR found by the ICJ may well have been at the origin of a miscarriage of justice. The irreparable can still be avoided, by granting Ramiro Hernandez Llanas a court review and reconsideration of his case, as ordered by the ICJ, with the legal support the Mexican Government is eager to provide," said the rapporteur.

"Furthermore, the United States Supreme Court prohibited the execution of people with mental disabilities in 2002. To execute Hernandez Llanas would be all the more shocking as he has a mental disability, confirmed by six IQ tests carried out over a period of nearly ten years," concluded Ms Karamanli.

Parliamentary Assembly Communication Division

Tel: +33 3 88 41 31 93

Fax : +33 3 90 21 41 34

pace.com@coe.int

assembly.coe.int



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