

EMBAJADA DE MÉXICO

Washington, D.C., December 24th, 2002
#10839

Governor Mississippi
Ronnie Musgrove
Office of the Governor
Post Office Box 139
Jackson, MS 39205

Fax: 601 359 3741

Dear Governor Musgrove:

I am writing to you regarding the case of Mr. Ronald Chris Foster, a United States citizen sentenced to death in the state of Mississippi. The execution date of Mr. Foster is January 8, 2003.

The Government of Mexico is deeply disturbed by the fact that Mr. Foster was only 17 years old at the time of the crime. Within the international community, the execution of juvenile offenders is widely regarded as contrary to established norms of customary international law. In addition, the execution of a juvenile offender, such as Mr. Foster, would violate article 6 of the International Covenant on Civil and Political Rights, a treaty to which the United States is a party.

Even among those countries whose legal system permits the imposition of the death penalty, the United States is one of the only nations that continues to execute juvenile offenders. Even in the United States, there appears to be a growing recognition that the execution of juvenile offenders is inconsistent with evolving societal norms. Earlier this year, the Georgia Board of Pardons agreed to commute the death sentence of Alexander Williams, who was also seventeen at the time of the crime for which he received a death sentence. Mexico and other nations supported the Williams case. In addition, Mexico, along with other countries, supported the cases of Mr. Toronto Patterson and Mr. TJ Jones, both juvenile offenders executed in Texas in August, 2002.

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The Government of Mexico is also concerned that in Mr. Foster suffered several head injuries as a Child, and was raised in destructive home environment. In addition, Foster's trial attorney requested psychological examinations to evaluate whether he met M'Naghten sanity standards and to prove possible brain disorder that could perhaps serve as a mitigating factor in the sentencing phase. Nevertheless, the case proceeded to trial with no ruling on the motion for the appointment of a mental health expert for purposes of mitigation during the sentencing phase. Consequently, Mr. Foster's attorneys could offer little or no evidence to support mitigating factors favoring a life sentence rather than death.

It is important to emphasize that Mexico has great respect for the judicial system in the United States. Nevertheless, as a responsible member of the international community and as a party to the International Covenant on Civil and Political Rights, Mexico has a legitimate interest in promoting respect for norms of international law.

On behalf of the Government of Mexico, I respectfully urge you, to consider the position of the international community and to exercise all powers vested in your office to commute Mr. Foster's sentence to any penalty other than capital punishment, in accordance with international law.

Sincerely,

A handwritten signature in black ink, appearing to read "Mario Chacón". The signature is fluid and cursive, with the first name "Mario" and last name "Chacón" clearly distinguishable.

Mario Chacón
Chargé d'Affaires, a.i.