

Council of Europe
The Secretary General

Strasbourg, 27 February 2003

Dear Chairman,

I write to you in your capacity as Chairman of the Oklahoma Board of Pardons and Paroles about the case of Scott Hain, whose clemency appeal you are to consider over the coming days.

I call on you, as a matter of urgency, to exercise your powers to stop the execution of Scott Hain which is scheduled for Thursday, 3 April 2003.

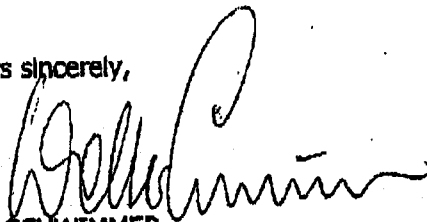
The Council of Europe, and its 44 member States are unequivocally opposed to the death penalty, considering that it has no place in a civilised democracy. As an Observer to this Organisation, the United States of America is deemed to share the same fundamental values and principles.

The case of Scott Hain is particularly distressing, since it is reported that he was a minor at the time of the crime. Furthermore, the Council of Europe considers that the US Supreme Court's recent refusal to reconsider in this case the constitutionality of executing persons who were minors at the time of their crimes, greatly heightens the responsibility of clemency authorities to abide by international standards in their deliberations.

The execution of Scott Hain would not only flout Resolution 2000/17 of the UN Sub-Commission on Human Rights on the death penalty in relation to juvenile offenders, and Resolutions adopted by the UN Human Rights Commission including Resolution 2002/77 adopted on 25 April 2002 but would also contravene international legal standards, including those drawn up by the Council of Europe.

Once again, I appeal to you, in the name of human decency to do all that is in your power to stop Scott Hain's execution.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Walter Schwimmer', written in a cursive style.

Walter SCHWIMMER

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