

EMBAJADA DE MEXICO

Washington, D.C., March 3, 2003

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Office of Governor Brad Henry
State Capitol Building
2300 N. Lincoln Blvd., Room 212
Oklahoma City, OK 73105

Dear Governor:

I am writing to you regarding the case of Mr. Scott Hain, a United States citizen sentenced to death in the state of Oklahoma. The execution date of Mr. Hain is April 3, 2003.

The Government of Mexico is deeply disturbed by the fact that Mr. Hain 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. Hain, 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 continue to execute juvenile offenders. In the United States, however, there appears to be a growing recognition that the execution of juvenile offenders is inconsistent with evolving societal norms. Last 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 Mr. Hain was raised in destructive home environment. Both his parents were alcoholics and would frequently leave Mr Hain, and his sister, alone while they went out drinking. Mr Hain's father frequently beat him with a wooden paddle. When he was in fifth grade, his father introduced him to marijuana. The physical abuse mounted and Mr Hain began using more drugs. He had a serious juvenile offender history including charges of grand larceny, knowingly concealing stolen property, trespassing, theft and unauthorized use of a motor vehicle. In 1987, Scott Hain and his father were arrested together on a burglary charge. Mr Hain's father frequently asked him to steal in order to sell the property.

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. Hain's sentence to any penalty other than capital punishment, in accordance with international law.

Sincerely,



Juan Jose Bremer
Ambassador