



International Commission
against the Death Penalty

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**Statement by the International Commission against the Death Penalty:
Unprecedented ruling by US District Court Judge declares California's
death penalty system unconstitutional**

The International Commission against the Death Penalty (ICDP) warmly welcomes the historic ruling by United States (US) District Judge Cormac J. Carney on 16 July 2014 declaring California's death penalty system unconstitutional.

Judge Carney of the United States District Court for the Central District of California made this ruling when he vacated the death sentence of Ernest Dewayne Jones, who was sentenced to death in April 1995 on charges of rape and murder. The judge found that "Mr. Jones remains on California's Death Row, awaiting his execution, but with complete uncertainty as to when, or even whether, it will ever come."

The ruling concluded that like Mr Jones, hundreds of other individuals facing the death penalty in California "will have languished for so long on Death Row that their execution will serve no retributive or deterrent purpose and will be arbitrary."

According to Judge Carney, "the dysfunctional administration of California's death penalty system has resulted, and will continue to result, in an inordinate and unpredictable period of delay preceding their actual execution" and that "(a)llowing this system to continue to threaten Mr. Jones with the slight possibility of death, almost a generation after he was first sentenced, violates the Eighth Amendment (of the US Constitution)'s prohibition against cruel and unusual punishment."

"The ruling on 16 July 2014 by the District Court of the Central District of California is a step in the direction towards abolition of capital punishment in the US state of California. In November 2012, Proposition 34, which would have repealed the death penalty in California, was voted down by five percentage points and only 500,000 votes decided the final outcome in sharp contrast to over 70% backing capital punishment in the 1970s. Public appetite for execution is diminishing at a dramatic rate. The death penalty system is cruel and degrading, violating human rights and human dignity. Furthermore, the capital punishment does not deter crime more effectively than other punishments and so has no place in the US, especially California," said ICDP President Federico Mayor.

In April, the botched execution of Clayton Lockett in Oklahoma brought the spotlight on the capital punishment system in the US and further confirmed that it was cruel, inhuman and degrading.

So far 18 US states have abolished capital punishment and others are moving in that direction. In 2013, public support for capital punishment has dwindled to its lowest levels for some 40 years. Overall in the USA the number of executions fell to 39 in 2013 down from 43 in 2012.



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According to the United Nations, some 160 countries from all regions have abolished the death penalty or do not execute – having recognized that modern justice systems can protect the public from crime without the irrevocable and cruel nature of the death penalty and the constant risk of executing an innocent person.

Federico Mayor

President of the International Commission
against the Death Penalty

Background

ICDP was founded in Madrid in October 2010. ICDP is currently composed of 14 persons of high international standing from all regions of the world who act with total independence and neutrality and work under its President Mr Federico Mayor.

ICDP opposes the death penalty under any circumstances believing that it violates the right to life enshrined in the Universal Declaration of Human Rights. ICDP promotes the abolition of capital punishment in law in those states that observe a de facto moratorium on the use of the death penalty and promotes moratoriums on executions in states that rarely use the death penalty. In states that continue to carry out executions ICDP urges strict adherence to international standards.

ICDP works with the United Nations and other international and regional organizations, governments and nongovernmental organizations to further the abolition of capital punishment worldwide.

The work of the ICDP is supported by a diverse group of 18 states from all regions of the world that are committed to abolition of the death penalty. Its secretariat is based in Geneva.