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Commission on Legal Affairs and Human Rights
Sub-Committee on Human Rights

"Justice and human rights in Council of Europe Observer States: The abolition of the death penalty"

Report of the Conference

**held in Springfield and Washington (United States of America)
on 9-11 April 2003**

Wednesday 9 April 2003 and Thursday 10 April 2003 (Springfield, Illinois)

Senator Jones, President of the Illinois State Senate, had been presiding the Senate for thirty years. In 1999 he had called for a moratorium with a view to examining the judicial system and putting forward recommendations to improve it. These recommendations had been submitted in the year 2000. A series of Acts had been adopted by the Senate on compulsory production of any evidence proving the defendant's innocence, prohibition of execution of under-age criminals, the burden on the State Attorney to disclose any information in his/her possession, DNA proofs of innocence, and lastly, mandatory video recordings of interviews. Senator Obama had initiated the latter text on video recordings, which had been unanimously adopted. This whole legislative package was now before the Chamber of Representatives. Senator Jones said that the legislature would be pushing for abolition of the death penalty this spring, but warned that this would be a very difficult task because Illinois had retained this archaic approach to the death penalty. Nonetheless he was convinced that Illinois would finally abolish the death penalty and that other States would follow suit. At the present time there was absolutely no uniformity in the application of the death penalty in the territory of Illinois, with sentencing varying from county to county. The whole American judicial system was at issue. The US Constitution guaranteed the right not to testify against oneself, but some people had been forced to do so. Evidence unearthed post-conviction had demonstrated the innocence of persons who had confessed to the crime charged. The police used torture to extract confessions, which meant that the American system resorted to barbaric practices. The fact that there were innocent people on death row meant that the true culprits were at large! He saluted Governor Ryan's courage in making the right decision, quoting Dr Martin Luther King's famous phrase: "The ultimate measure of a man is not where he stands in moments of comfort, but where he stands at times of challenge and controversy".

¹ Document declassified by the Sub-Committee on 28 January 2004.

Programme of the Conference

Wednesday 9 April 2003 (Springfield, Illinois)

Opening session

- 9.30 am Opening of the Conference by Senator Emil Jones Jr., President of the Illinois State Senate and Mrs Renate Wohlwend, Chairperson of the Sub-Committee on Human Rights of the Parliamentary Assembly of the Council of Europe (PACE)
- 10 am Key-note speech by Lord Russell-Johnston, Member of the House of Lords (United Kingdom), Chairman of the Governing Board of the International Institute for Democracy, Member of the PACE
- 10.30 am *Coffee break*

Reasons for abolishing the death penalty

The problem of innocence

- 10.45 am Speech by Ms Sue Gunawardena-Vaughn, Director - Program to Abolish the Death Penalty (PADP), Amnesty International USA
- 11.10 am Speech by Mr Rob Warden, National Center on Wrongful Convictions (Chicago)
- 11.35 am Testimony from Mr Aaron Patterson (exonerated from Illinois death row on grounds of innocence)
- 12 am Questions and debate
- 1 pm *Lunch break*

The situation in Illinois

- 3 pm Speech by Mr Thomas P. Sullivan, Co-Chair of the Illinois Governor's Commission on Capital Punishment
- 3.25 pm Questions and debate
- 4 pm *Coffee break*

The European experience

- 4.15 pm Speech by Mr Boriss Cilevičs, Member of Parliament (Latvia), Member of PACE
- 4.30 pm Speech by Mr Michel Dreyfus-Schmidt, Member of the French Senate, Member of PACE
- 5 pm Speech by Mr Lode Vanoost, Member of Parliament (Belgium), Member of PACE
- 5.15 pm Questions and debate

- 6 pm End of sitting
- 6.30 pm Reception hosted by Mrs Renate Wohlwend,
Chairperson of the Sub-Committee on Human Rights
of the Parliamentary Assembly of the Council of Europe

Thursday 10 April 2003 (Springfield, Illinois)

How to progress towards abolition

- 9.30 am Exchange of views with Senator John J. Cullerton, Chairman of the Illinois
State Senate Judiciary Committee
- 10 am Speech by Mrs Jane Bohman, Executive Director,
Illinois Coalition Against the Death Penalty
- 10.15 am Speech by Mrs Karin Jaani, former Member of Parliament,
Ambassador of Estonia to Russia
- 10.30 am Speech by Mr Arthur L. Turner, Member of the Illinois House of
Representatives, Lead sponsor of House Bill No. 213 on the abolition of the
death penalty
- 10.45 am Questions and debate

Closing session

- 11.45 am Closing remarks by Senator Jeffrey M. Schoenberg, Member of the Illinois
State Senate and Mrs Renate Wohlwend, Chairperson of the Sub-Committee
on Human Rights of the Parliamentary Assembly of the Council of Europe
- 12 noon End of the Springfield Conference

Friday 11 April 2003 (Washington, DC)

Opening session

- 9.15 am Opening of the Conference by Mrs Renate Wohlwend, Chairperson of the Sub-
Committee on Human Rights of the Parliamentary Assembly of the Council of
Europe

The problem of innocence

- 9.30 am Testimony from Mr Juan Roberto Melendez Colon (exonerated from Florida's
death row on grounds of innocence)
- 10 am Speech by Mr Richard Dieter, Director, Death Penalty Information Center
- 10.20 am Questions and discussion
- 10.40 am *Coffee break*

The European experience

- 11 am Keynote speech by Lord Russell-Johnston, Member of the House of Lords
(United Kingdom), Chairman of the Governing Board of the International
Institute for Democracy, Member of the PACE

- 11.20 am Speech by Mrs Karin Jaani, former Member of Parliament,
Ambassador of Estonia to Russia
- 11.40 am Questions and discussion
- 12.15 pm Closing remarks by Mrs Renate Wohlwend,
Chairperson of the Sub-Committee on Human Rights
of the Parliamentary Assembly of the Council of Europe
- 12.30 pm End of the conference