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EUROPEAN UNION AND NATIONS OF THE INTERNATIONAL COMMUNITY AMICUS CURIAE
BRIEF

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The European Union, Council of Europe, Switzerland, Mexico, Norway, Iceland, Canada, New Zealand and Liechtenstein have submitted an Amicus Curiae brief to the U.S. Supreme Court in support of Christopher Simmons stating that the practice of executing child offenders (those under 18 years of age at the time of their offense) violates international human rights norms.

As members of the international community, the amici have a strong interest in providing relevant information on international human rights norms to the U.S. Supreme Court.

Amici believe:

The execution of persons below 18 years of age at the time of their offences **violates widely accepted human rights norms and the minimum standards of human rights set forth by the United Nations.**

There is a **virtually unanimous international consensus** against the execution of persons who were under 18 years old at the time of their offense

This consensus is evidenced by the practices **of the overwhelming majority of nations; provisions of international law** including treaties to which the United States is a party; and the **positions of states before international bodies.**

The U.S. has, over the last decade, **executed more juvenile offenders than every other nation of the world combined.** Thus, **the United States now stands virtually alone among all the nations of the world** at present in actively carrying out death sentences for offenses committed by juveniles.

The U.S. position on the execution of juvenile offenders is **out of step** with the international community.

Amici are opposed to the death penalty in all cases and accordingly aim at its universal abolition. Such abolition contributes to the **enhancement of human dignity** and the progressive development of **human rights.**

The EU, Council of Europe and Mexico each have a separate statement of interest, Switzerland, Norway, Iceland, Canada, New Zealand and Liechtenstein have explicitly expressed to the European Union and its Member States their support for the arguments put forward in the brief.

Additional Information on Amici:

European Union (EU)

The EU considers the principles of liberty, democracy, respect for human rights and fundamental freedoms, and the rule of law, to be of vital importance both nationally and in the international community.

These principles are common to its 25 member states.¹
Abolition of the death penalty is a pre-condition for membership with the European Union.

Council of Europe

The Council of Europe consists of 45 member states.²
Abolition of the death penalty is a pre-condition for membership of the Council of Europe.

Mexico

As a member of the Organization of American States, Mexico takes particular note and endorses the decision by the Inter-American Commission on Human Rights in *Domingues v. United States*,³ in which the Commission found that the execution of juvenile offenders **violates both established norms of international customary law and a norm of *jus cogens***, and is thus **impermissible** under contemporary human rights standards.

¹ Austria, Belgium, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, the Netherlands, Poland, Portugal, Slovakia, Slovenia, Spain, Sweden, and the United Kingdom

² Albania, Andorra, Armenia, Austria, Azerbaijan, Belgium, Bosnia & Herzegovina, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Moldova, Netherlands, Norway, Poland, Portugal, Romania, Russian Federation, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Spain, Sweden, Switzerland, The Former Yugoslav Republic of Macedonia, Turkey, Ukraine, and the United Kingdom.

³ Report No. 62/02, Case 12.285, OEA/Ser.L/V/II.116, Doc. 33, October 22, 2002.