

PUBLIC

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UA 34/05 Imminent Execution

BARBADOS Frederick Atkins (m), aged 36

Frederick Atkins is scheduled to be executed by hanging early on the morning of 14 February, even though his appeal has not yet been heard by the Inter-American Commission on Human Rights. If the sentence is carried out, this would be the first execution in Barbados since 1984.

Frederick Atkins was sentenced to death in 2000 for the murder of 20-year-old Sharmaine Hurley. A previous death warrant issued to him in June 2002 was stayed by the Judicial Committee of the Privy Council, the final court of appeal for Barbados. A new death warrant was issued by the Barbados authorities on 9 February 2005.

On 3 September 2004, Frederick Atkins's lawyers submitted an appeal against his death sentence to the Inter-American Commission on Human Rights, as they are entitled to do under the American Convention on Human Rights. Three others at risk of imminent execution made similar appeals, including Lennox Boyce and Jeffrey Joseph (see UA 268/04, AMR 15/001/2004, 20 September 2004).

On 17th September 2004, the Inter-American Commission on Human Rights granted "precautionary measures" to Boyce and Joseph to halt their executions, which were believed to be imminent. On 23 November 2004, the Inter-American Court granted "provisional measures" in favour of Boyce and Joseph with the objective that "Barbados take all measures necessary to preserve the lives and physical integrity of these alleged victims [of violations of their rights under the American Convention] so as not to hinder the processing of their cases before the Inter-American system."

The Inter-American Commission on Human Rights has not set a date to hear Frederick Atkins's appeal. Atkins's lawyers have requested the Commission grant "precautionary measures" to prevent his execution. Amnesty International fears that the rescheduling of this execution by the Barbados authorities signals their preparation to flout the American Convention on Human Rights and other international treaties by executing people whose appeals are still to be heard.

BACKGROUND INFORMATION

Amnesty International opposes the death penalty in all cases as a violation of the right to life and as the ultimate form of cruel and inhuman punishment. It brutalizes those involved in the process of executions and wider society as a whole.

While executions have become increasingly rare in the English speaking Caribbean, support for the death penalty remains high. The region suffers from a high, and often increasing, crime rate and executions are seen as a method of crime control.

The government of Barbados has argued that it is required to carry out death sentences as a means of crime prevention, and in recent years has undertaken initiatives to resume the implementation of executions. For example, in September 2002, the government passed the Constitutional (Amendment) Act 2002, which prevented condemned prisoners from challenging their death sentences on a number of grounds (see EXTRA 73/02, AMR 15/006/2002, 13 September 2002).

The last executions to take place in Barbados were in 1984, when Noel Jordan, Melvin Inniss and Errol Farrell were hanged. Any resumption of execution in Barbados would run counter to the international trend of a move away from using the death penalty. In 2003, only 28 countries carried out executions. 117 countries have abolished the death penalty in law or in practice and in the past decade an average of three countries a year have abolished the death penalty for ordinary crimes.

For more information on the death penalty in the English speaking Caribbean, please see *State killing in the English-speaking Caribbean: a legacy of colonial times* (AMR 05/003/2002, April 2002).

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in English or your own language:

- expressing sympathy for the victims of violent crime and their relatives;
- expressing deep concern at the intention to resume the use of the death penalty in Barbados after 20 years without executions and calling on officials not to take such a retrograde step;
- expressing deep concern that Frederick Atkins is scheduled to be executed on 14 February;
- expressing concern that Barbados has issued death warrants despite Frederick Atkins having appealed to the Inter-American Commission on Human Rights, and stating that this action places Barbados in violation of its obligations under international law;
- emphasizing that the death penalty has not been shown to be any more of a deterrent to violent crime than any other forms of punishment.

APPEALS TO:

The Rt. Hon. Owen Arthur
Prime Minister
Office of the Prime Minister
Government Headquarters
Bay Street
St Michael, Barbados

Fax: + 1 246 436 9280
E-mail: info@primeminister.gov.bb
Salutation: Dear Prime Minister

The Hon. Mia A. Motley
Attorney General and Minister for Home Affairs
Frank Wolcott Building
Cilloden Rd
St Michael, Barbados

Fax: + 1 246 437 3794
Email: attygen@caribsurf.com
Salutation: Dear Attorney General

The Hon. Billie A. Miller
Deputy Prime Minister and Minister of Foreign Affairs
Ministry of Foreign Affairs
1 Culloden Road
St Michael, Barbados

Fax: + 1 246 429 6652
Salutation: Dear Deputy Prime Minister

COPIES TO: Diplomatic representatives of Barbados accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY.