

PUBLIC

AI Index: ASA 39/009/2001

27 June 2001

Further information on EXTRA 23/01 (ASA 39/001/2001, 2 April 2001) and follow-up (ASA 39/003/2001, 12 April 2001 and ASA 39/004/2001, 18 April 2001) - Fear of imminent execution

KINGDOM OF THAILAND at least 11 people (names unknown)
Suchart Thaokhamthong - Executed

Suchart Thaokhamthong was executed by firing squad on 26 June. He had been sentenced to death in 1996 for possession of 45,000 methamphetamine tablets with intent to sell.

His execution follows those of five men on 18 April 2001, and one man on 11 April. All but one had been sentenced to death for drug trafficking offenses. In early May the Director General of the Corrections Department was reported as saying that there were "five drug traffickers and seven prisoners convicted of serious crimes" awaiting execution.

BACKGROUND INFORMATION

Earlier this year the authorities announced that they intend to speed up the execution of people condemned for drug offenses to act as a deterrent against increasing production and trafficking of illegal drugs. At present, once a death sentence has been upheld by the Supreme Court, the prisoner has 60 days in which to lodge an appeal for clemency with the King. This final stage of the appeal process can take some time.

One day before the execution of Suchart Thaokhamthong, the Prime Minister is reported to have said that prisoners sentenced to death for drug offenses would not be allowed the right to appeal for a Royal Pardon. Other officials have stated that the denial of this right would require amendments to current legislation.

Amnesty International is concerned that Thailand's current policy and practice on the use of the death penalty contravenes United Nations recommendations to progressively restrict the number of capital offenses and to establish a moratorium on executions. Any attempt to remove the final right of appeal for drug offenders would contravene Article 6(4) of the International Covenant on Civil and Political Rights (ICCPR), to which Thailand is a state party and has an obligation to uphold. This article states that "Anyone sentenced to death shall have the right to seek pardon or commutation of the sentence. Amnesty, pardon or commutation of the sentence of death may be granted in all cases."

There are reported to be approximately 212 people on death row who have not yet exhausted the appeal process, of whom 145 have been convicted of drug offenses.

FURTHER RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express/airmail letters in English or in your own language:

- expressing grave concern and sadness at the execution of Suchart Thaokhamthong on 26 June;
- expressing concern that at least 11 people sentenced to death face imminent execution, and that others in the final appeals stage may also be at risk;

- urging the authorities not to carry out any further executions, and to impose an immediate moratorium on all executions;
- acknowledging that serious crime is a problem in many countries, and that governments have a responsibility to punish offenders;
- pointing out that there is no evidence that the death penalty acts as a more effective deterrent than other punishments, and that it is brutalizing to all involved in its application;
- expressing concern that removal of the final right of appeal for a Royal Pardon for convicted drug offenders would contravene international standards guaranteeing the rights of those facing the death penalty, including Article 6(4) of the International Covenant on Civil and Political Rights, to which Thailand is a state party.

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and to diplomatic representatives of Thailand accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 25 July 2001.