
AMNESTY INTERNATIONAL NEWS SERVICE 31/95

TO: PRESS OFFICERS
FROM: IS PRESS OFFICE
DATE: 14 FEBRUARY 1995

AI INDEX: NWS 11/31/95
DISTR: SC/PO
NO OF WORDS: 1053

NEWS SERVICE ITEMS: EXTERNAL - **SOUTH AFRICA** (this item is being targeted to international and South African media attending the trial), **ST VINCENT AND THE GRENADINES** (this item is being sent to targeted media by the research team)

PLEASE NOTE: There will be an informal briefing with a few key journalists in Nairobi about Somalia. The briefing will take place around 28 Feb - 1 March.

PLEASE NOTE: Please contact Paula (x5560) if you gave The Sudan Campaign video (A Nation Scarred) to any TV stations. Apparently, Eurovision carried restricted pictures from it soon after the Sudan Campaign launch and we are trying to track down where they got them from. Please note that campaign videos are for non-broadcast use only. Thanks

INTERNATIONAL NEWS RELEASES

Northern Iraq - 28 February - SEE NEWS SERVICE 266

Campaign on Women - 8 March - SEE NEWS SERVICE 12/95

Brazil - 27 March - SEE NEWS SERVICE 29/95

TARGETED AND LIMITED NEWS RELEASES

14 FEBRUARY 1995 - FOR IMMEDIATE RELEASE
AI INDEX: AFR 53/WU 01/95

SOUTH AFRICA: AMNESTY INTERNATIONAL SENDS INTERNATIONAL EXPERT

Amnesty International is sending an international expert to observe South Africa's crucial Constitutional Court hearings on the death penalty that are scheduled to open in Johannesburg tomorrow.

South Africa's hearings could be highly significant in the worldwide debate over the abolition of the death penalty. The court's ruling and subsequent actions of the South African government is likely to be felt regionally, in Africa, and possibly globally.

The court's ultimate ruling on the constitutionality of the death penalty under the country's new constitution will also obviously have an immediate impact upon the lives of the two appellants, Themba Makwanyane and Mavusa Mchunu, on whose behalf the case is being brought, as well as upon the 448 other prisoners currently under sentence of death.

The Amnesty International trial observer, Professor William Schabas, is President of the International League for the Abolition of the Death Penalty and Chairperson of the Département des sciences juridiques (Department of Legal Studies) at the Université du Québec in Montreal, Canada. In 1993 he published a major study on the topic of international law and the global trend towards the abolition of the death penalty.

Background on the trend to abolishing the death penalty

The United Nations, in which South Africa is now playing an active role, has the established goal of abolishing the death penalty worldwide. Since June 1994 Amnesty International has urged the new South African government to take the necessary steps towards the abolition of the death penalty which we believe would give a tremendous boost for the cause of human rights in South Africa and set a vital example for certain other countries in Africa and elsewhere where the death penalty is still in operation.

By January 1995, 54 countries had become abolitionist for all crimes, while 15 others have done so with respect to all but exceptional crimes such as wartime crimes. Twenty-seven other countries, which may be considered de facto abolitionist, retain the death penalty in law but have not carried out any executions for the past ten years. Among these 96 countries are all the Western European countries, Hungary, Croatia, Australia, Canada, Argentina and some other Latin American countries, Cambodia, and seven African countries including Namibia, Mozambique and Guinea Bissau.

Amnesty International appealed for many years to previous South African governments to commute all death sentences and abolish this form of punishment, on the grounds of fundamental opposition to it, as well as the racial and other factors which, in South Africa, made the implementation of capital punishment extremely arbitrary.

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AI INDEX: AMR 57/WU 01/95
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ST VINCENT AND THE GRENADINES: AMNESTY INTERNATIONAL CONDEMNS YESTERDAY'S
EXECUTIONS OF THREE PRISONERS AND CALLS FOR A HALT TO FURTHER EXECUTIONS

Amnesty International strongly condemns yesterday's executions of three prisoners in St Vincent and the Grenadines, and is concerned that the secrecy and speed with which these executions have been carried out may have denied the prisoners justice.

A death warrant was read last Thursday to at least one of the men, Douglas Hamlet. It was not until after Hamlet's appeal for a stay of execution had been denied on Saturday that it was known that the other two executions were also scheduled to take place on Monday.

Hamlet was apparently convicted solely on the basis of a 14-year-old identification witness who saw him from a distance of between 150 and 220 yards, in rain. Hamlet, Franklin Thomas and David Collins, had all been on death row for under five years.

In June 1993, the Judicial Committee of the Privy Council (JCPC - the final court of appeal for some Commonwealth countries, including St Vincent) in London ruled in the case of two Jamaican death row prisoners that the execution of prisoners who had been on death row for over five years would constitute "inhuman or degrading punishment".

Following Monday's executions, the Deputy Prime Minister and Attorney General, Parnell Campbell, stated that this ruling will be interpreted in St Vincent to mean that executions in the country will be speeded up in order to fall within the time frame of five years. Amnesty International believes that Thomas and Collins had not pursued their right to appeal to the JCPC for lack of funds.

The Deputy Prime Minister and the Attorney General have reportedly said that the government of St Vincent believes that capital punishment acts as a very serious deterrent. Amnesty International believes that this is naive and misinformed reasoning. Detailed research conducted in many countries has provided no evidence that the death penalty deters crime more effectively than other punishments.

Amnesty International believes that St Vincent has taken a retrograde step in carrying out the first executions in the country for almost four years, which is contrary to the worldwide trend towards abolition of the death penalty.

More and more countries across the world have abolished the death penalty altogether. By January 1995, 54 countries worldwide had abolished the death penalty for all offenses, and 15 for all exceptional crimes. A further 27 countries, while retaining the death penalty in law, have not carried out any executions for at least ten years.

Amnesty International is writing to the government of St Vincent to express its concern about the executions, and urging that no further executions are carried out in the country.

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