

EXTERNAL

AI Index: ASA 39/04/95

EXTRA 115/95

Fear of imminent execution

29 September 1995

THAILAND

One unnamed prisoner

---

Amnesty International is gravely concerned by reports that a prisoner may be executed in Thailand on 8 October 1995, in what would be the first execution there since 1987.

The 18 September 1995 edition of the Thai newspaper, the *Nation*, reported an official of the Interior Ministry as saying that a man, whose name has been withheld, would be executed in order to deter others from criminal activity.

The man, who is reportedly detained at Bang Kwang Maximum Security Prison, was convicted of robbery and murder carried out on three occasions in 1985, 1986, and 1987, in the eastern province of Chonburi.

According to Section 262 of the Criminal Procedure Code of Thailand, the King may grant a pardon within 60 days from the date of a petition for commutation of a death sentence. According to the 24 September edition of the *Nation*, the Corrections Department blocked this man's petition in 1993 for Royal clemency on the grounds that allowing condemned convicts to seek Royal clemency makes the death sentence less effective as a deterrent.

Amnesty International fears that the threat to execute this man may indicate a decision of the recently-elected Thai government to resume carrying out death sentences.

#### BACKGROUND INFORMATION

The death penalty in Thailand is mandatory for premeditated murder, the murder of an official on government business, production or trafficking of heroin, and regicide. It is optional for rape, robbery, kidnapping, arson and bombing if death results, insurrection, treason, airline hijacking and espionage, and possession of more than 100 grams of heroin. It is unclear how many prisoners are currently on death row. The *Nation* reports that more than 270 prisoners have been sentenced to death, and *The Bangkok Post*, another Thai newspaper, reports 109 death sentences.

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

- urging the Royal Thai Government not to carry out the execution of a male prisoner reportedly planned for 8 October 1995;
- expressing concern at reports that his petition for royal clemency was blocked in 1993, and urging that his sentence now be commuted;
- expressing sympathy for the victims of violent crime, but stressing that the death penalty has never been shown to be an effective deterrent to such crime;
- explaining your opposition to the death penalty as a violation of the right to life and the right not to be subjected to cruel, inhuman or degrading treatment, as proclaimed in the Universal Declaration of Human Rights;
- welcoming the fact that the death penalty has not been carried out in Thailand since 1987 but voicing concern that a resumption in its use would represent a retrograde step in law enforcement in Thailand;
- calling on the Royal Thai Government to consider abolishing the death penalty as a punishment.

#### APPEALS TO:

Banharn Silapa-archa, Prime Minister and Minister of the Interior  
Office of the Prime Minister  
Government House Nakhorn Pathom Road  
Bangkok 10300, Thailand

**Telegrams: Prime Minister Banharn Silapa-archa, Bangkok, Thailand**

**Faxes: +66 2 280 1443**

**Salutation: Dear Prime Minister**

**COPIES TO:**

His Majesty  
King Bhumibol Adulyadej  
King of Thailand  
The Grand Palace  
Na Phra Lan Road  
Bangkok 10200  
Thailand

Dr. Kanit na Nakorn  
The Attorney General  
Office of the Attorney General  
Rajadabhisek Road  
Bangkok, Thailand

and to diplomatic representatives of KINGDOM OF THAILAND accredited to your country.

**PLEASE SEND APPEALS IMMEDIATELY.**