

EXTERNAL (for general distribution)

AI Index: AMR 14/06/95
Distr: UA/SC

EXTRA 62/95

Death Penalty

31 May 1995

BAHAMAS

Thomas RECKLEY

Thomas Reckley is scheduled to be executed in the Bahamas on 9 June 1995. Reckley, convicted of murder in November 1990, was originally scheduled to be executed on 30 May, but received a 10-day stay of execution, one hour before he was due to be hanged. There have been no executions in the Bahamas since 1984.

Reckley's execution is the second scheduled to take place in the Bahamas in a week (see EXTRA 54/95, AMR 14/02/95, 15 May and follow-ups). Executions in the Bahamas have been delayed while the Judicial Committee of the Privy Council (JCPC) in London - the final court of appeal for many Commonwealth countries, including the Bahamas - considered whether the death penalty in the Bahamas was constitutional. In April 1995 the JCPC upheld the death penalty in the Bahamas. Since the JCPC's ruling, the government has repeatedly stated its intention to carry out hangings as soon as possible. According to Reckley's lawyer, it is the government's intention to schedule an execution every week in the coming months. There are currently over 30 prisoners under sentence of death in the country.

In the Bahamas the Constitution provides for an Advisory Committee on the Prerogative of Mercy, which recommends whether a prisoner should be granted clemency or not. The Chairperson of the Committee, who is not bound by the advice of the Committee, advises the Governor General on the final action to be taken. The Governor General then exercises his power "in accordance with the advice of the Prime Minister."

Amnesty International opposes the death penalty in all cases as a violation of the right to life, and the right not to be subjected to cruel, inhuman or degrading punishment, as proclaimed in the Universal declaration of Human Rights.

RECOMMENDED ACTION: Please send telegrams/faxes/express/airmail letters in English if possible:

- expressing deep concern that Thomas Reckley is scheduled to be executed and urging that his death sentence be commuted, along with all other prisoners under sentence of death in the Bahamas;
- expressing deep concern at the intention to resume the use of the death penalty in the Bahamas after over ten years without executions;
- calling on the authorities not to take such a retrograde step, especially at a time when more countries worldwide are moving towards the abolition of the death penalty;
- expressing sympathy for the victims of violent crime and their relatives;
- noting that detailed research in many countries has produced no evidence that the death penalty deters crime more effectively than other punishment.

Other points may also be added:

- the death penalty is brutalizing to all who are involved in the process;
- it is arbitrary and often falls disproportionately on minority and underprivileged groups;
- it denies the widely accepted principle of rehabilitating the offender;
- it does not alleviate the suffering caused to the victims of crime.

APPEALS TO

The Honourable C.A. Smith
Chairman, Advisory Committee on the Prerogative of Mercy
PO Box N 3002
Nassau
Bahamas

Faxes: +1 809 322 6546

Telephone: +1 809 322 6250 (or 6251, 6252, 6253)

**Telegrams: Chairman of the Advisory Committee on the Prerogative of Mercy,
Nassau, Bahamas**

Salutation: Dear Mr Smith

COPIES OF YOUR APPEALS TO:

His Excellency Orville Turnquest
Governor General
PO Box N8301
Nassau, Bahamas

Faxes: +1 809 322 4659

The Honourable Hubert Ingraham,
Prime Minister
Office of the Prime Minister
Churchill Building
PO Box N 3746
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Bahamas

Faxes: +1 809 327 5806

Senator Brent Symonette,
Attorney-General
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and to diplomatic representatives of the Bahamas accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY.