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BAHAMAS: AMNESTY INTERNATIONAL CONDEMNS FIRST EXECUTION IN 12 YEARS

Amnesty International today condemned yesterday's execution of convicted murderer Thomas Reckley -- the first execution to take place in the Bahamas in 12 years.

"We are particularly concerned that the execution went ahead despite the fact that Reckley had spent more than five years on death row," Amnesty International said today.

"The time set for his execution, as scheduled by law, had expired and yet the execution still went ahead -- Rickey was left waiting in the condemned cell for several hours without knowing what was going to happen."

In 1993 the Judicial Committee of the Privy Council (JCPC) -- which acts as the final court of appeal for the Bahamas and other Caribbean Commonwealth states -- issued a key ruling in a Jamaican case stating that "in any case in which execution is to take place more than five years after sentence there will be strong grounds for believing that the delay is such as to constitute 'inhuman or degrading treatment'". Other governments in the region have commuted the death sentences of prisoners who had spent more than five years on death row following the ruling.

Reckley lost his earlier appeal to the JCPC in July last year when he had spent four and a half years on death row. His execution yesterday followed a flurry of last-minute appeals after a constitutional motion filed before the local courts was denied. The JCPC in London also denied an application for a stay yesterday morning without giving reasons.

Reckley was scheduled to hang at 8am local time but a stay was granted by the Bahamas Court of Appeal just 20 minutes before it was due to be carried out, to allow the court time to hear a further appeal. This was denied later that morning. Government officials then apparently met to consider whether the warrant for execution was still legally in force. Reckley's lawyers submitted that as the law stipulated that a specific time for execution must be set in the warrant -- in this case for 8am -- the warrant had legally expired. Despite this, Reckley was hanged at around 11.30pm local time.

In a letter to the Bahamas Government yesterday Amnesty International renewed its appeal for commutation of the death sentence both on humanitarian grounds and in view of the fact that he had spent more than five years on death row. The organization said it was further concerned that Mr Reckley remained "under threat of being hanged imminently even though the time set for his execution, as scheduled by law, has now expired". Amnesty International considered this situation amounted to an additional form of "cruel, inhuman or degrading treatment".

Amnesty International said it was also disturbed by reports that three prisoners who were scheduled to be hanged yesterday, including Reckley, had been subjected to taunts by prison guards while they were in the condemned cells awaiting execution.

The two other prisoners scheduled to hang in the Bahamas yesterday -- Dwayne McKinney and Cyrile Darville -- were granted stays of execution.

Amnesty International appealed to the Bahamas Government also to take into account in Reckley's case the fact that he had an application pending before the Inter-American Commission on Human Rights which had appealed for a stay of execution pending its consideration of his case. However, this was apparently disregarded by the government.

Amnesty International said in its letter that it in no way disregarded the seriousness of the crimes for which prisoners under sentence of death have been convicted and that it had the utmost sympathy for all victims of violent crime. However, the organization said there was no evidence that the death penalty deterred crime more effectively than other penalties and the death penalty is brutalizing to all who are involved in the process. Amnesty International appealed to the government not to proceed with further executions.

More execution warrants are expected to be issued in the near future as the Mercy Committee is reported to be looking at more cases. There are some 36 prisoners currently on death row in the Bahamas, at least 15 of whom have spent more than five years under sentence of death.

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