

EXTERNAL

AI Index: AMR 14/03/96

14 March 1996

Further information on EXTRA 62/95 (AMR 14/06/95, 31 May 1995) and follow-up (AMR 14/01/96, 6 March 1996) - Death Penalty

BAHAMAS Thomas RECKLEY
 Dwayne MCKINNEY
 Cyril DARVILLE

Amnesty International has learned with deep regret that Thomas Reckley was hanged on the morning of 13 March 1996 in the first execution to be carried out in the Bahamas since 1984.

Thomas Reckley, who had previously won a total of five stays of execution, had his appeal rejected by the Judicial Committee of the Privy Council (JCPC) in London on 5 February 1996. Amnesty International is particularly concerned that the warrant for his execution was issued, despite the fact that he had spent more than five years under sentence of death, pursuing appeals that were legally available to him. This is contrary to the 1993 JCPC ruling, known as Pratt and Morgan, which stated 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 punishment or other treatment'".

Dwayne McKinney and Cyril Darville, who were also scheduled to be hanged on 13 March, were both granted stays of execution on 11 March, pending further appeals.

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

- expressing deep regret at the execution of Thomas Reckley and thus the resumption of executions in The Bahamas after 12 years break;
- expressing concern that Thomas Reckley was executed in spite of the fact that he had been under sentence of death for over five years, contrary to the JCPC ruling that there are strong grounds for believing that execution in any case after more than five years would constitute "inhuman or degrading punishment or other treatment".
- urging that the death sentence on Dwayne McKinney and Cyril Darville be commuted and that no further executions to be carried out;
- stressing that the resumption of executions is a retrograde step in the protection of human rights for all The Bahamas' citizens and is contrary to international standards and trends towards abolition of the death penalty;
- making some or all of the following general points about the death penalty: the death penalty has never been shown to deter crime more effectively than other punishment; it has a brutalizing effect upon all those who are involved in the process; execution is irrevocable and, despite the most stringent judicial safeguards, can be inflicted on the innocent.

APPEALS TO:

His Excellency Orville Turnquest
Governor General
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Nassau, The Bahamas
Telephone: +1 809 322 1875

Faxes: +1 809 322 4659
Telegrams: Governor General, Nassau, Bahamas
Salutation: Your Excellency

The Honourable Janet Bostwick
Attorney-General and Minister of Foreign Affairs
PO Box N 3007
Nassau, The Bahamas
Faxes: +1 809 322 2255
Telegrams: Attorney General Bostwick, Nassau, Bahamas
Salutation: Dear Attorney General

COPIES TO:

The Honourable Hubert Ingraham,
Prime Minister
Office of the Prime Minister
Sir Cecil V. Wallace Centre
PO Box CB 10980
Nassau, The Bahamas
Faxes: +1 809 327 5806

The Honourable C.A. Smith
Minister of Public Safety and Immigration and
the Chairman of the Advisory Committee on the
Prerogative of Mercy
PO Box N 3002
Nassau, The Bahamas
Faxes: +1 809 322 6546

The Nassau Daily Tribune (newspaper)
Shirley Street
PO Box N-3207
Nassau, The Bahamas
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and to diplomatic representatives of the Bahamas accredited to your
country.

PLEASE SEND APPEALS IMMEDIATELY.