

PUBLIC

AI Index: AMR 49/05/99

28 May 1999

Further information on EXTRA 61/99 (AMR 49/02/99, 14 May 1999) and follow-up (AMR 49/03/99 18 May 1999) - Death Penalty

TRINIDAD AND TOBAGO

Dole Chadee, also known as Nankissoon Boodram

Joey Ramiah

Joel Ramsingh

Ramkalawan Singh

Russell Sankeralli

Bhagwandeem Singh

Clive Thomas

Robin Gopaul

Stephen Eversley

On 27 May 1999, the government of Trinidad and Tobago issued execution warrants to the above-named nine men. Dole Chadee, Joey Ramiah and Ramkalawan Singh are scheduled to hang on 4 June 1999; Russell Sankeralli, Clive Thomas and Robin Gopaul on 5 June; and Joel Ramsingh, Bhagwandeem Singh and Stephen Eversley on 7 June.

The hangings were scheduled the day after the Judicial Committee of the Privy Council (JCPC - Trinidad and Tobago's highest appeal court, located in London) dismissed the mens' second challenge claiming that it would violate the constitution of Trinidad and Tobago to hang them.

In delivering its ruling the JCPC acknowledged the "disturbing evidence" provided by their lawyers of the effects of hanging a person but nevertheless ruled that it was not prohibited by the constitution. The court ruled that Article 6 of the Constitution sets out to "save" laws which existed before the enactment of the Constitution in 1976 from challenge. Because the court determined that hanging was the only form of execution used before the Constitution came into effect in 1976, it is not prohibited.

This is the third time that the men have been read execution warrants. Their executions were previously scheduled to take place in November 1998 and again on 18, 19 and 20 May 1999. Their hangings were postponed both times after they filed petitions to the national courts.

There are currently no proceedings pending with the national courts or international human rights bodies on their behalf.

The president may, on the advice of the Minister of National Security, exercise the prerogative of Mercy.

The men were convicted on 3 September 1996 of the murder of Deo Baboolal, his wife Rookmin, their daughter Monica and son Hamilton. If executed, they would be the first people to hang in Trinidad and Tobago since 1994.

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

- urging the government of Trinidad and Tobago to commute the death sentences of Dole Chadee, also called Nankissoon Boodram, Joey Ramiah, Joel Ramsingh, Ramkalawan Singh, Russell Sankeralli, Bhagwandeem Singh, Clive Thomas, Robin Gopaul and Stephen Eversley who are scheduled to hang on 4, 5 and 7 June 1999;

- pointing out that the death penalty is the ultimate cruel, inhuman and degrading punishment, that it violates the right to life and has a brutalizing effect on all involved in its application;

- noting that Osmond Baboolal, the son of Deo and Rookmin and brother of Monica and Hamilton Baboolal, has said that hanging the men convicted of killing his family will not bring them back or ease the pain of his loss;
- expressing sympathy for the surviving members of the Baboolal family and other victims of violent crime and their relatives and noting that the feelings expressed by Osmond Baboolal are echoed by many families of murder victims when the person convicted of the murder is to be executed by the state;
- urging the government to commute the sentences of all those on death row, as a first step towards abolition of the death penalty, and asking them to propose and enact legislation which would create non-capital penalties for murder.

APPEALS TO:

Minister of National Security, Senator The Hon. Joseph Theodore, Ministry of National Security, 18 Knox Street, Port of Spain, Trinidad and Tobago

Telegrams: Senator Joseph Theodore, Port of Spain, Trinidad and Tobago
Faxes: + 1 868 627 8044
Salutation: Dear Minister

The President, The Hon. Arthur Napoleon Robinson, President of the Republic
The President's House, Circular Road, St. Ann's, Port of Spain, Trinidad and Tobago

Telegrams: President, Port of Spain, Trinidad and Tobago
Faxes: + 1 868 625 7950
Salutation: Dear President

COPIES TO:

Prime Minister, The Rt. Hon. Basdeo Panday, Office of the Prime Minister
Level 19, Central Bank Tower, Eric Williams Plaza, Independence Square
Port of Spain, Trinidad and Tobago

Faxes: + 1 868 627 3444

Attorney General, The Hon. Ramesh Lawrence Maharaj, Ministry of the Attorney General, Winsure Building, 24-28 Richmond Street, Port of Spain, Trinidad and Tobago

Faxes: + 1 868 625 0470 / 625 6530

Minister of Foreign Affairs, The Hon. Ralph Maraj, Ministry of Foreign Affairs, Knowsley Building, 1 Queen's Park West, Port of Spain, Trinidad and Tobago

Faxes: + 1 868 627 0571

and to diplomatic representatives of Trinidad and Tobago accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY.