

EXTRA 61/99

Death Pen

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

The nine men named above are scheduled to hang between 18 and 20 May 1999. If executed, they would be the first people to hang in Trinidad and Tobago since Glen Ashby in July 1994.

They were convicted on 3 September 1996 of the murder of Deo Baboolal, his wife Rookmin, their daughter Monica and son Hamilton. During the trial no motive was established for the killings.

The government scheduled all nine men to hang in November 1998, but the executions were stayed to allow consideration of motions filed in the national courts claiming that it would be unconstitutional to execute them. On 10 May 1999, the motions were heard and dismissed by the Judicial Committee of the Privy Council (JCPC) in London (the highest appeal court for Trinidad and Tobago). All other appeals to the national courts and petitions to human rights bodies have been dismissed.

The men have claimed that the government has targeted them for execution, "fast tracking" their cases through the national courts and international bodies. Concern has been raised that the Attorney General has been biased, based on his public statements throughout the proceedings that the government was certain to hang the men.

The Attorney General sits on the Advisory Committee on the Power of Pardon, which met before the execution warrants were read and decided that the prerogative of mercy should not be exercised in this case.

All nine men state that they have been treated appallingly in prison. Before trial they were housed in a cell measuring 6 feet by 9 feet (2 metres by 3 metres), with no beds and a slop bucket for a toilet. They state that there were between five and ten other prisoners in the cell and they were kept there for at least 23 hours a day, sometimes having to sleep standing up. Dole Chadee was reportedly moved to death row five months before his conviction. On one occasion he says he was moved to the cell directly opposite the gallows chamber and was told by guards that he was being kept there "to suffer until we [are] ready for you."

After conviction, all nine were moved to death row, where they are kept in poorly ventilated and unsanitary cells. Occasionally they are allowed out for one hour's exercise. They say that warders sometimes refuse to allow them to empty their slop buckets when they are full.

Dole Chadee, Joey Ramiah and Ramkalawan Singh are scheduled to hang on Tuesday 18 May; Russell Sankeralli, Clive Thomas and Robin Gopaul on Wednesday 19 May; and Joel Ramsingh, Bhagwandeem Singh and Stephen Eversley on Thursday 20 May.

BACKGROUND INFORMATION

In Trinidad and Tobago, the death penalty is mandatory for anyone convicted of murder. Execution is by hanging.

Glen Ashby's execution was the first death sentence to be carried out in Trinidad and Tobago since 1979. His execution was carried out in contravention of national and international law, as his appeal was still under consideration by the JCPC. On the day he was hanged, he was only 6 days away from completing five years under sentence of death.

In 1993, the JCPC ruled in the Jamaican case of Pratt & Morgan that executing a person who had spent a prolonged period of time under sentence of death violated the constitutional prohibition on inhuman and degrading punishment and treatment. Following this ruling, the death sentences of people who have spent five years or more on death row in Trinidad and Tobago, and other countries in the English Speaking Caribbean which retain the JCPC as their highest court, have been commuted to life imprisonment.

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

- expressing concern that the government of Trinidad and Tobago has scheduled Dole Chadee, also called Nankissoom Boodram, Joey Ramiah, Joel Ramsingh, Ramkalawan Singh, Russell Sankeralli, Bhagwandeem Singh, Clive Thomas, Robin Gopaul and Stephen Eversley to hang between 18 and 20 May 1999;
- urging the government to commute their death sentences;
- expressing sympathy for the victims of violent crime and their relatives but stating that in many cases when a person convicted of murder has been executed by the state, the family of the victim have stated that the execution did nothing to alleviate their feelings of anger and loss;
- pointing out that the death penalty is the ultimate cruel, inhuman and degrading punishment, which violates the right to life and has a brutalizing effect on all involved in its application;
- urging the government to commute the sentences of all those sentenced to death in Trinidad and Tobago, and, as a first step towards abolition of the death penalty, to propose and enact legislation which would create non-capital penalties for murder.

APPEALS 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

Telegrams: Prime Minister, Port of Spain, Trinidad/Tobago

Faxes: +1 868 627 3444

Salutation: Dear Prime Minister

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

Telegrams: Attorney General, Port of Spain, Trinidad/Tobago

Faxes: +1 868 625 0470 or 6530

Salutation: Dear Attorney General

COPIES TO:

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

Faxes: + 1 868 627 8044

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

Faxes: +1 868 625 7950

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

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 20 May 1999.