

# URGENT ACTION

## DEATH ROW PRISONER STILL IN DANGER

**Death row prisoner Ronald Tiwarie is still in danger of execution in Trinidad and Tobago, after the country's High Court adjourned its consideration of his case.**

Ronald Tiwarie was brought before an Advisory Committee on Power of Pardon (a "mercy committee") on 28 July. The Committee deferred consideration of his case to a date not yet decided. The following day the High Court adjourned to 29 September without taking any decision on the constitutional motion filed by Ronald Tiwarie's lawyers on 16 July.

Because of the High Court deferral, Ronald Tiwarie is still at risk of execution. The mercy committee could still be reconvened by the Minister of National Security, and recommend execution, which could be carried out within 72 hours. He will only be out of danger after 4 August, when he will have been on death row for five years; under a 1993 ruling by the Judicial Committee of the Privy Council in London, a delay of more than five years in implementing a death sentence would be cruel and inhuman treatment. As a consequence of this ruling, people who have spent five years or more on death row in the countries of the English Speaking Caribbean which retain the Judicial Committee of the Privy Council as their highest court of appeal have their death sentences commuted to life imprisonment.

Ronald Tiwarie was sentenced to death on 4 August 2004 for the murder of his sister-in-law, who had been killed on 8 March 2001.

### PLEASE WRITE IMMEDIATELY in English or your own language:

- expressing sympathy for the victims of violent crime and their relatives;
- calling on the authorities not to reconvene Ronald Tiwarie's mercy committee hearing, as this would violate his constitutional rights as well as international standards and laws on capital punishment, as he still has an appeal pending before the Inter-American Commission on Human Rights;
- urging the authorities not to resume the use of the death penalty in Trinidad and Tobago after 10 years;
- emphasizing that the death penalty has not been shown to be any more of a deterrent to violent crime than any other form of punishment.

### PLEASE SEND APPEALS BEFORE 4 SEPTEMBER 2009 TO:

#### Prime Minister

The Rt. Honourable Patrick Manning,  
The Office of the Prime Minister  
White Hall, Queen Park West  
Port of Spain  
Trinidad and Tobago

**Fax: +1 868 622 2241**

**Salutation: Dear Prime Minister**

#### Attorney General

The Hon. John Jeremie  
Ministry of the Attorney General  
Cabildo Chambers  
25-27 St Vincent Street  
Port of Spain  
Trinidad and Tobago

**Fax: +1 868 625 0470**

**Email: ag@ag.gov.tt**

**Salutation: Dear Attorney General**

and copies to:

Minister of National Security  
Senator The Hon. Martin Joseph  
Ministry of National Security  
31-33 Abercromby St  
Port of Spain, Trinidad and Tobago  
**Email: mns@tstt.net.tt**

**Also send copies to diplomatic representatives accredited to your country.** Please check with your section office if sending appeals after the above date. This is the first update of UA 198/09 AMR 49/001/2009 24 July 2009. Further information: <http://www.amnesty.org/en/library/info/AMR49/001/2009/en>

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## ADDITIONAL INFORMATION

Trinidad and Tobago has not executed anyone since 1999

The world is turning away from the use of death penalty: 139 countries have now abolished the death penalty in law or practice and only 25 nations carried out executions in 2008. Trinidad and Tobago, however, along with the 11 other English-speaking Caribbean nations, voted on 18 December 2008 against the UN General Assembly resolution 63/168 calling for a global moratorium on executions. The English-speaking Caribbean made up almost a quarter of the countries who voted against the moratorium.

The execution of Charles Elroy Laplace in St Kitts and Nevis in December 2008 was the first in the English-speaking Caribbean since 2000. His execution has sparked fears that other English-speaking Caribbean nations will follow suit as pressure grows on the region's governments to be seen to be tackling an increase in violent crime. In May 2007 the Prime Minister of Trinidad and Tobago said publicly that he wanted hangings resumed, saying that he believed "capital punishment is an essential element in crime fighting." In June 2009 he blamed delays in carrying out executions on restrictions imposed by Privy Council rulings.

Trinidad and Tobago suffers from high levels of violent crime – there were 545 reported homicides in 2008, a rise of 39% over 2007. Scientific studies have consistently found no convincing evidence that the death penalty deters crime more effectively than other punishments. The most recent survey of research findings on the relation between the death penalty and homicide rates, conducted for the UN in 1988 and updated in 1996 and 2002, concluded that "research has failed to provide scientific proof that executions have a greater deterrent effect than life imprisonment."

Amnesty International opposes the death penalty as a violation of the right to life and the ultimate cruel, inhuman and degrading punishment. The organization recognizes the duty of governments to tackle violent crime but believes that the death penalty is by nature ineffective and arbitrary, and is not an effective deterrent to crime. The application of death penalty inevitably leads to inconsistencies and errors, inescapable flaws which are exacerbated by discrimination, prosecutorial misconduct and inadequate legal representation. It brutalizes those involved in the process of executions and wider society as a whole. The organization believes that the rise in crime affecting much of the Caribbean will only be solved by addressing urgent reforms to police and justice systems, not with state killings.

For more information on Amnesty International's campaign to abolish the death penalty worldwide, please visit:  
<http://www.amnesty.org/en/death-penalty>

Further information on UA: 198/09 Index: AMR 49/002/2009 Issue Date: 31 July 2009

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