

TRINIDAD AND TOBAGO Sean Parris

Amnesty International is concerned that Sean Parris has been charged with a crime that carries a mandatory death sentence without having been provided with legal representation. As a result of his lack of legal representation, there are fears that Sean Parris could be at risk of ill-treatment in detention.

Parris, who is charged with the 1994 murder of Dr Chandra Narayansingh, was taken before San Fernando Second Court on 20 June 2000 for a preliminary hearing. Prior to the hearing he had reportedly been held in a top-security prison while police interrogated him. Amnesty International fears that he may be denied legal representation for a prolonged period.

The Attorney General of Trinidad and Tobago has publicly stated on numerous occasions that the death penalty is administered in compliance with international laws and standards. However, the denial of legal assistance to a defendant at any stage of the legal proceedings is a violation of international laws and standards including the International Covenant of Civil and Political Rights.

Amnesty International is also concerned that defendants held without access to legal assistance risk being coerced, physically and mentally, into signing confessions.

BACKGROUND INFORMATION

Amnesty International has documented other cases of people detained without access to legal representation who were ill-treated in custody, or in some cases, coerced into signing confessions. In a ruling on 8 June 2000, the Judicial Committee of the Privy Council (the final court of appeal for Trinidad and Tobago) overturned the death sentence of Darren Baptiste, who was denied access to a lawyer following his arrest, and who then signed a confession involuntarily.

Darren Baptiste was virtually illiterate when he was arrested, aged 19, and coerced into signing a written statement that he did not understand. The Privy Council also noted that he was denied his constitutional right to be advised of his right to have, and to speak to, a lawyer.

Amnesty International has long-term concerns about the legal representation provided to those facing capital punishment in Trinidad and Tobago. This includes the denial of any legal aid for death row prisoners to help them submit appeals based on the violation of their constitutional rights. Condemned prisoners rely on lawyers (mostly in the United Kingdom) donating their time *pro bono* (free).

The failure to grant prompt access to competent counsel, to bring defendants to trial within a reasonable time or to allow defendants adequate time and facilities to prepare a defence, violates international fair trial standards set out in the Body of Principles for the Protection of All Persons under Any Form of Detention, the Basic Principles on the Role of Lawyers, the International Covenant on Civil and Political Rights (ICCPR) and the American Convention on Human Rights (American Convention).

There are currently approximately 80 prisoners under sentence of death in Trinidad and Tobago. The last executions were in June and July 1999, when ten men were put to death. The method of execution is hanging.

RECOMMENDED ACTION: Please telephone/ send e-mails/telegrams/faxes/express/airmail letters in English or your own language:

- expressing your concern that Sean Parris has been charged with a crime that carries a mandatory death sentence without having being provided with legal representation;
- expressing sympathy for Dr Chandra Narayansingh and all victims of violent crime and their families;
- expressing concern that Trinidad and Tobago are administering the irrevocable punishment of death in violation of international legal safeguards;
- requesting that the authorities ensure that Sean Parris and anyone else currently facing capital punishment in Trinidad and Tobago are provided with adequate legal representation during the *entire* legal process;
- requesting to be informed of any action taken by the authorities to ensure that the legal rights of those facing capital punishment are protected.

APPEALS TO:

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

Salutation: Dear Prime Minister

Tel: +1 868 623 3653/3669

Fax: +1 868 627 3444

E-mail: bpanday@trinidad.net

The Hon. Ramesh Maharaj
Attorney General
Ministry of the Attorney General and Legal Affairs
24-28 Richmond Street
Port-of-Spain
Trinidad and Tobago

Salutation: Dear Attorney General

tel: +1 868 623 4282

Fax: + 1 868 625 0470, or 6530

E-mail: attorneygeneral@trinidad.net

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

Salutation: Dear Senator

Tel: +1 868 623 2441/5

Fax: + 1 868 627 8044

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 7 August 2000.