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The Rt. Hon. Dr Keith Mitchell
Prime Minister
Prime Minister's Office
Financial Complex
St George's
Grenada

4 November 2003

Open letter to the Prime Minister and people of Grenada concerning the 'Grenada 17'

Dear Prime Minister and people of Grenada,

Amnesty International has become aware of varying reactions to its report released on 23 October entitled *The Grenada 17: Last of the cold war prisoners?* and would welcome the opportunity to respond to some of these comments.

As the report acknowledged, we were aware that emotions on the issue of the 17 are understandably strongly felt in Grenada. Amnesty International does not seek to add to the continuing trauma suffered by many after the events of October 1983. As the report recommends, we believe that those who suffered the loss of loved ones or were injured themselves should be compensated by the government of Grenada or the USA, as appropriate.

However, Amnesty International is an organization that seeks to have the laws and standards pertaining to human rights and fair trials that have been agreed upon by the international community, via the United Nations and similar bodies, abided by.

Prime Minister, we note with interest your comment that the report is "a sloppy piece of work". Amnesty International would welcome further written details of any inaccuracies or mistakes your administration believes are present in the report in order that we can answer your concerns. We also note that you are quoted as stating "they [Amnesty International] did not speak to enough people." The report is primarily based on our analysis of the trial transcript and other legal documents. Amnesty International did not seek the opinions of individuals in this case, as the report focussed on the legal process. Therefore it would not have been appropriate to interview numerous people.

We would also like to respond to the following points that have been made about the report by various persons in Grenada.

"The trial was 16 years ago. Why did Amnesty International keep quiet all this time?"

Since the arrest of the Grenada 17 and others, Amnesty International has monitored and spoken out about their cases. The organization sent observers to the legal hearings on their case and has documented its concerns in numerous entries on Grenada in its annual reports and letters to the Grenadian Government. Amnesty International had waited before carrying out a full evaluation of the trial in the hope that the judicial system would correct the violations of the Grenada 17's fair trial

rights. As the judicial system has failed to correct itself, Amnesty International decided to release the report.

“Does Amnesty International support the Grenada 17 and the events of 19 October 1983?”

Amnesty International does not support any political party or individual person. The events of 19 October 1983 were tragic and our sympathies are with all those who lost their lives, lost loved ones or were wounded in the violence. The summary execution of Prime Minister Maurice Bishop and others was a criminal act for which the perpetrators should be brought to justice and held to account. However, the trial of the Grenada 17 cannot be deemed fair and is therefore inherently unreliable as a fact-finding mechanism.

“Does Amnesty International believe the Grenada 17 to be innocent?”

We do not take a position on the guilt or innocence of the Grenada 17. Amnesty International believes that the right to a fair trial is absolute. The Grenada 17 did not receive a fair trial and the proceedings against them were inadequate to ascertain their guilt or innocence.

“But the 17 received mercy when their death sentences were commuted. Why should they receive mercy again?”

Amnesty International does not seek ‘mercy’ for the Grenada 17. We believe that the 17 cannot continue to be incarcerated on the grounds of a conviction that was obtained via a process that was in gross violation of international standards governing the fairness of trials. It is not a matter of mercy but a matter of upholding the right to a fair trial.

“The release of the 17 is a matter for the people of Grenada. Their release could threaten the security of Grenada.”

Whether an individual is popular or unpopular with the citizens of a country does not and should not affect their human rights. Human rights and the right to a fair trial is not a matter to be decided by popular opinion. An individual should only be imprisoned when convicted of a recognisable criminal offence following a fair and impartial trial. To imprison someone on the grounds of their potential future behaviour would be against international human rights standards and natural justice.

“Amnesty International has not told the “real story” and has clouded the issue using a political strategy.”

While the report does briefly describe the events that led up to the trial of the Grenada 17, it does not examine them in any detail or seek to draw conclusions as to who was responsible for the crimes that occurred. Amnesty International concerned itself solely with the fairness of the trial and does not enter into the debate on the sequence of, and who is responsible for, the events of 1983. There are very few people that know the true events of October 1983. It is the job of the courts to accurately establish the facts and administer justice in a fair and impartial manner. The trial of the Grenada 17 was neither fair nor impartial.

Yours sincerely,

For Irene Khan
Secretary General