

EXTERNAL (for general distribution)

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Death penalty

11 November 1992

**TRINIDAD AND TOBAGO: Gayman JURISINGH
 Peter MATTHEWS
 Faizal MOHAMMED**

The three men named above were scheduled to be executed on 10 November 1992. These executions were not carried out on 9 November as lawyers submitted a constitutional motion on behalf of the three men which is still being heard by the High Court of Trinidad and Tobago. However, they could still be executed in the near future.

Gayman Jurisingh has been on death row since June 1982; his appeal was dismissed in December 1984 and the Judicial Committee of the Privy Council (JCPC), the final court of appeal for Trinidad and Tobago, also dismissed his appeal.

Peter Matthews was sentenced to death in February 1984; his appeals were dismissed in July 1985 by the Court of Appeal and in December 1986 by the JCPC.

Faizal Mohammed was sentenced to death in February 1982 and had his appeals rejected in July 1985 by the Court of Appeal and in February 1990 by the JCPC.

There have been no executions in Trinidad and Tobago since 1979; there are currently 108 prisoners under sentence of death. In 1990 a Commission of Inquiry into Capital Punishment submitted its report to President Noor Hassanali recommending, among other things, that prisoners who had been on death row for over 10 years should have their sentences commuted to life imprisonment. The government then in power was reported to have accepted the recommendations. A new government, elected in December 1991, was also reported to have accepted the Commission's recommendations which would obviously apply to Jurisingh and Mohammed. In the case of Peter Matthews, although he was sentenced to death in 1984, it is reported that he was charged in 1978 and spent nearly six years awaiting trial. This would raise serious concerns that international standards requiring fair trial within a reasonable time were not respected.

The Constitution of Trinidad and Tobago effectively vests upon the Chairman of the Advisory Committee on the Power of Pardon the final decision on the advice to be given to the President to exercise the power of pardon. Amnesty International understands that the Minister of National Security is the current holder of this post.

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

- urging the commutation of the death sentences passed on Gayman Jurisingh, Peter Matthews and Faizal Mohammed;

- expressing deep concern at the attempt to resume the use of the death penalty in Trinidad and Tobago after 13 years without executions;
- calling on the authorities not to take such a retrograde step especially at a time when more countries worldwide are moving towards the abolition of the death penalty;
- expressing regret that the recommendation made by the Commission of Inquiry that prisoners who have been under sentence of death for over 10 years should have their sentences commuted to life imprisonment is being ignored.

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APPEALS TO

1) His Excellency Noor Hassanali
Office of the President
Port of Spain
Trinidad and Tobago

Salutation: Your Excellency

Telegrams: President Hassanali, Port of Spain, Trinidad and Tobago
Telephone: + 809 624 1261
Faxes: + 809 625 7950

2) The Hon Patrick Manning
Prime Minister
Whitehall
Port of Spain
Trinidad and Tobago

Salutation: Dear Prime Minister

Telegrams: Prime Minister Manning, Port of Spain, Trinidad and Tobago
Telephone: + 809 623 2971
Faxes: + 809 623 8123

3) The Hon Keith Sobion
Attorney General
Red House, St Vincent Street
Port of Spain
Trinidad and Tobago

Salutation: Dear Attorney General

Telegrams: Attorney General Sobion, Trinidad and Tobago
Telephone: + 809 623 2971
Faxes: + 809 623 8123

4) The Hon Russell Higgins
Minister of National Security
Knox Street
Port of Spain
Trinidad and Tobago

Salutation: Dear Minister

Telegrams: Minister of National Security Higgins, Port of Spain, Trinidad and Tobago
Telephone: + 809 623 2441/2461-6
Faxes: + 809 622 3853

COPIES OF YOUR APPEALS TO:

Newspaper:

Trinidad Guardian

22 St Vincent Square
Port of Spain
Trinidad and Tobago

Faxes: + 809 625 7211

Newspaper:

Trinidad Express

Independence Square

Port of Spain

Trinidad and Tobago

Faxes: + 809 627 1451

Radio Company:

Trinidad Broadcasting Corporation

11B Maraval Road

Port of Spain

Trinidad and Tobago

Faxes: + 809 622 2380

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 23 December 1992.