

EXTERNAL (for general distribution)

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EXTRA 103/92

Death Penalty

4 December 1992

TRINIDAD AND TOBAGO:

Brian FRANCOIS

Lal SEERATAN

Brian Francois and Lal Seeratan are scheduled to be executed in Trinidad and Tobago on Tuesday 8 December 1992.

Brian Francois was sentenced to death in 1986 for a murder committed in 1983. His appeal was dismissed in 1987 by the Court of Appeal in Trinidad and the Judicial Committee of the Privy Council (JCPC) in London, Trinidad's final court of appeal, rejected his request for leave to appeal in 1988.

Lal Seeratan was also convicted of murder and sentenced to death in 1986. The Trinidad Court of Appeal dismissed his appeal in 1987 and the JCPC in 1988.

BACKGROUND INFORMATION

There have been no executions in Trinidad and Tobago since 1979. However, three prisoners were scheduled to be executed on 10 November 1992 (see UA 351/92, AMR 49/02/92 of 11 November 1992); lawyers submitted a constitutional motion on their behalf arguing that their constitutional rights would be violated if executed; the executions were not carried out and are still pending. The constitutional motion was rejected on 11 November and an appeal was immediately submitted. The hearing on this appeal started on 1 December 1992 and is still in progress.

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. The Minister of National Security is the current holder of this post.

There are currently 108 prisoners under sentence of death.

Amnesty International opposes the death penalty in all cases as a violation of the right to life and the right not to be subjected to cruel, inhuman or degrading punishment, as proclaimed in the Universal Declaration of Human Rights.

RECOMMENDED ACTION: Please send telegrams/faxes/express either in English or in your own language:

- urging the commutation of the death sentences passed on Brian Francois and Lal Seeratan;

- expressing deep concern at this renewed 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 sympathy for the victims of violent crime and their relatives but argue that research has shown that hanging prisoners will not deter others from committing similar crimes.

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APPEALS TO

- 1) His Excellency Noor Hassanali **Salutation: Your Excellency**
Office of the President
Port of Spain
Trinidad and Tobago
Telegrams: President Hassanali, Port of Spain, Trinidad and Tobago
Telephone: + 1 809 624 1261
Faxes: + 1 809 625 7950

- 2) The Hon Patrick Manning **Salutation: Dear Prime Minister**

Prime Minister
Whitehall
Port of Spain
Trinidad and Tobago
Telegrams: Prime Minister Manning, Port of Spain, Trinidad and Tobago
Telephone: + 1 809 623 2971
Faxes: + 1 809 623 8123

- 3) The Hon Keith Sobion **Salutation: Dear Attorney General**

Attorney General
Red House, St Vincent Street
Port of Spain
Trinidad and Tobago
Telegrams: Attorney General Sobion, Trinidad and Tobago
Telephone: + 1 809 623 2971
Faxes: + 1 809 623 8123

- 4) The Hon Russell Higgins **Salutation: Dear Minister**
Minister of National Security
Knox Street
Port of Spain
Trinidad and Tobago
Telegrams: Minister of National Security Higgins, Port of Spain, Trinidad and Tobago
Telephone: + 1 809 623 2441/2461-6
Faxes: + 1 809 622 3853

COPIES OF YOUR APPEALS TO:

Newspaper:

Trinidad Guardian
22 St Vincent Square
Port of Spain, Trinidad and Tobago
Faxes: + 1 809 625 7211

Newspaper:
Trinidad Express
Independence Square
Port of Spain, Trinidad and Tobago
Faxes: + 1 809 627 1451

Radio Company:
Trinidad Broadcasting Corporation
11B Maraval Road
Port of Spain, Trinidad and Tobago
Faxes: + 1 809 622 2380

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

PLEASE SEND APPEALS IMMEDIATELY. To arrive in Trinidad and Tobago by 8 December 1992.