

UA 85/02

Death Penalty/Legal Concern

19 March 2002

TRINIDAD AND TOBAGOPeter Cadette (m)

Amnesty International is concerned that Peter Cadette was charged on 17 March, 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 Peter Cadette could be at risk of ill-treatment in detention.

Cadette is accused of murdering his estranged wife, Grace Babour-Cadette and Jabari Cadette, their one year old son on 10 March. He was arrested by police on 15 March, after being apprehended by a group at Maitigual, San Juan who allegedly inflicted injuries on him. Cadette appeared before a Deputy Chief Magistrate at Port of Spain Magistrates Court on 18 March and is scheduled to reappear before Arima Magistrates Court on 27 March.

The authorities of Trinidad and Tobago have previously stated 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 (ICCPR), to which Trinidad and Tobago is a state party.

BACKGROUND INFORMATION

Amnesty International has documented other cases of people detained without access to legal representation who were ill-treated in custody. The Judicial Committee of the Privy Council (the final court of appeal for Trinidad and Tobago) has overturned death sentences of individuals coerced into signing confessions after being denied such access.

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 as set out in the UN Body of Principles for the Protection of All Persons under Any Form of Detention, the UN 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).

Amnesty International's concerns regarding legal representation afforded to those facing the death penalty in Trinidad and Tobago include the lack of any legal aid to help death row inmates submit appeals alleging violations of their constitutional rights. Condemned prisoners rely on lawyers (mostly in the United Kingdom) donating their time *pro bono* (free).

There are currently over 50 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 by hanging.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in English or your own language:

- expressing your concern that Peter Cadette has been charged with a crime that carries a mandatory death sentence without having been provided with legal representation;

- expressing sympathy for Grace Babour-Cadette and Jabari Cadette and their friends and relatives, and all victims of violent crime and their families;
- expressing concern that Trinidad and Tobago is administering the irrevocable punishment of death in violation of international legal safeguards;
- requesting that the authorities ensure that Peter Cadette, 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 Hon. Glenda Morean
Attorney General
Ministry of the Attorney General
Cabildo Chambers
25-27 St. Vincent Street
Port-of-Spain
Trinidad and Tobago
Telegram: Attorney General, Port-of-Spain, Trinidad and Tobago
Fax: + 1 868 624 1986
Salutation: Dear Attorney General

The Hon. Camille Robinson-Regis
Minister of Legal Affairs
Huggins Building
Registration House
72-74 South Quay
Port-of-Spain
Trinidad and Tobago
Telegram: Legal Affairs Minister, Port-of-Spain, Trinidad and Tobago
Fax: + 1 868 625 9803
Salutation: Dear Minister

COPIES

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 30 April 2002.