

EXTERNAL (for general distribution)

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Death penalty: Fear for prisoners on death row

15 July 1994

TRINIDAD AND TOBAGO

About 60 prisoners under sentence of death

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Following the execution of Glen Ashby on 14 July - the first in nearly 15 years - Amnesty International is gravely concerned that more prisoners may be executed in Trinidad and Tobago regardless of the state of their appeals.

On 12 July Glen Ashby was issued a warrant of execution to be carried out on 14 July. He had been sentenced to death in July 1989 and his appeal dismissed in December 1993. Last week the Judicial Committee of the Privy Council (JCPC) in London, Trinidad and Tobago's final court of appeal, dismissed his petition for leave to appeal against his conviction. He immediately submitted his case to the UN Human Rights Committee, where it was pending a decision.

Ashby had been under sentence of death for four years and 11 months, just short of the five year period when his sentence should have been commuted under a decision by the JCPC in November 1993, which ruled that executing anyone over five years after sentence would constitute inhuman or degrading punishment or treatment. Furthermore, a decision pending in the case of two other prisoners - Lincoln Guerra and Brian Wallen - also had a bearing on Ashby's case.

Hours before the execution the Attorney General, Keith Sobion, had given an undertaking that the execution would not go ahead until all possibility of obtaining a stay of execution had been exhausted. The process was still in progress when the execution was carried out.

Amnesty International is deeply concerned that if, in a case when so many avenues of appeal were pending, the authorities were prepared to flagrantly violate national law and international standards to hang a man, then all prisoners under sentence of death are in danger of being executed at short notice in Trinidad and Tobago.

#### **BACKGROUND INFORMATION**

Prior to 14 July, the last execution in Trinidad and Tobago was carried out in November 1979. Several attempts to resume executions had been made in the last few years, most recently on 24 March 1994. In all cases it was clear that the executions could only be carried out if the authorities were prepared to ignore legal obligations at national and international level. Many of these attempts coincided with increases in the rate of violent crime or particular incidents. The breach of national and international law and the disregard for pending, relevant appeals, clearly indicates that authorities were determined to execute, regardless of judicial rules and procedures, in order to please the strongly pro-death penalty public and make political gains.

There are currently around 60 prisoners on death row in Trinidad and Tobago.

**RECOMMENDED ACTION:** Please send telegrams, faxes and airmail letters either in English or in your own language, or call by telephone:

- condemning the execution of Glen Ashby carried out on 14 July despite appeals pending at national and international level; and stating that this is a flagrant violation of Trinidad and Tobago's national law and international standards;
- urging that an investigation be carried out into the execution of Glen Ashby, and that appropriate action be taken against those responsible for ordering the execution;
- urging that no further executions be carried out in Trinidad and Tobago.

**APPEALS TO**

The Hon Patrick Manning, Prime Minister  
Office of the Prime Minister  
Port of Spain

**Faxes: +1 809 627 3444**

**Telephone: +1 809 623 2971**

**Telegrams: Prime Minister, Trinidad**

**Salutation: Dear Prime Minister**

The Hon Russell Huggins, Minister of National Security  
Knox Street, Port of Spain

**Faxes: +1 809 622 3853**

**Telephone: +1 809 623 2441**

**Telegrams: Minister Huggins, Port of Spain, Trinidad**

**Salutation: Dear Minister**

The Hon Keith Sobion  
Attorney General  
Red House, Port of Spain  
Trinidad and Tobago

**Faxes: +1 809 625 7950**

**Telephone: +1 809 624 1261**

**Telegrams: Attorney General, Port of Spain, Trinidad**

**Salutation: Dear Attorney General**

**COPIES OF APPEALS:**

to the following newspapers:

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

Trinidad Express  
35 Independence Square  
Port of Spain  
**Faxes: +1 809 627 1451**

- to the press in your own countries.
- diplomatic representatives of Trinidad and Tobago accredited to your country
- diplomatic representative of your country to Trinidad and Tobago

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat, or your section office, if sending appeals after 30 August 1994