

TRINIDAD AND TOBAGO

Recent developments in the investigation of the killing of Anton Cooper and the alleged beating of Damian Ramiah

The killing of Anton Cooper

On 26 June 2001, Anton Cooper, aged 27, was found naked and dead in his cell at the Golden Grove Prison. He had allegedly been severely beaten by prison guards throughout the previous night. A post mortem examination revealed that he had died from "asphyxia associated with multiple blunt traumatic injuries".¹

The evidence gathered -- which included the accounts of several witnesses -- suggested that Anton Cooper had been killed by prison officers. Until recently, the Trinidad and Tobago authorities had failed to adequately investigate the death of Anton Cooper.

However, on 19 August 2002, three prison officers were charged with the murder of Anton Cooper; Ansen Griffith (aged 27), Devindra Ramdial (aged 34) and Dave George (aged 32). All appeared in Court shortly after their arrests and have been remanded in custody at the Maximum Security Prison in Arouca. The case has been adjourned and to Amnesty International's knowledge the three men have yet to appear before the Court again (the authorities failed to reply to the organization's letters requesting to be kept informed regarding the progress of the case through the courts).

Amnesty International welcomes the arrest of the three men -- just over one year after the killing of Anton Cooper -- as a possible first step to achieving justice. Nevertheless, in relation to the carrying out of justice, Amnesty International wishes to reiterate its commitment to fair trials for all. The authorities must ensure that the trial of Griffith, Ramdial and George are fair and that international standards of justice are complied with at all times. In Amnesty International's view, this would include not sentencing the men to death, since Amnesty International unconditionally opposes capital punishment as a violation of the right to life and as the ultimate cruel, inhuman and degrading punishment.

In protest against the above developments, a number of prison guards wore red on the day the three accused men appeared in court. Amnesty International does not deny prison guards the legitimate right to protest peacefully. However, the organisation is concerned that the Trinidad and Tobago government and prison authorities are failing to state explicitly that it is incumbent upon them to hold any prisoner officer against whom there are credible allegations of assaulting a prisoner to account; no prison officer is above the law.

¹ For further information please see *Trinidad and Tobago: The killing of Anton Cooper: 'What I saw was murder'*. AI index AMR 49/003/2002, published June 2002.

Potential threats to Victor Flores: the safety of potential witnesses to the killing of Anton Cooper must be guaranteed

Victor Flores is a remand prisoner who alleges he witnessed the death of Anton Cooper. Flores currently fears for his safety because of statements he has given in connection with the killing of Anton Cooper that implicate prison guards.

In response to Victor Flores's fears, the Commissioner of Prisons, Leo Abrahams, allegedly told a newspaper that the prisoner had "recourse" to deal with the situation. Abrahams also stated that Flores could ask to see the prison supervisor, or could request to meet with him in person.²

Amnesty International is concerned that such measures on their own are insufficient. A prisoner who has genuine reason to believe that his safety is threatened by prison officers responsible for him, can have no guarantee that he will be free of harm simply because he has been informed he can meet with the prison supervisor or the Commissioner of Prisons.

Amnesty International urges the Commissioner of Prisons to do everything in his power to ensure the safety of Victor Flores, and other prisoners who are potential witnesses to the killing of Anton Cooper, in line with international human rights standards.

International standards governing the protection of prisoners and witnesses to human rights abuses are clear that the authorities must ensure their safety. The United Nations Principles for the Protection of All Persons under Any Form of Detention or Imprisonment contains numerous provisions concerning the protection of prisoners from any form of ill-treatment or other abuse. For example, Principle 6 states:

No person under any form of detention or imprisonment shall be subjected to torture or to cruel, inhuman or degrading punishment or treatment.

Principle 15 of the United Nations' Principles for the Effective Prevention and Investigation of Extra-legal, Arbitrary and Summary Executions states that:

the complainant, witnesses, those conducting the investigation and their families shall be protected from violence or any other form of intimidation.

The alleged beating of Damian Ramiah

² *Trinidad Express*, "Scared prisoner has options", 4 September 2002

Damian Ramiah is currently on death row, having been convicted (along with nine other men) of the murder of Thackoor Boodram on 7 August 2001. He has made complaints of ill-treatment to his lawyer on several previous occasions. In the light of the latest alleged incident, Amnesty International is concerned that prison officers may be targeting Damian Ramiah deliberately.

On 30 July 2002, Damian Ramiah was allegedly taken from his cell to the office of a senior prison officer, where that officer and five other prison officers beat him with riot-staffs and electrical cables wrapped with tape. Damian Ramiah alleges he was beaten until he lost consciousness and was then taken to Port-of-Spain General Hospital with a broken leg, cuts, bruises and lacerations caused by the alleged attack.

Damian Ramiah also alleges that dietary supplements, prescribed by the prison doctor to alleviate the symptoms of ulcers, are being deliberately withheld from him. This has resulted in a severe deterioration of his health.

Amnesty International is calling upon the Minister of National Security to investigate the above complaints as a matter of urgency. The organization further urges the Minister of National Security to make clear public statements that those in custody must be treated in accordance with both domestic prison regulations and the United Nations' *Standard Minimum Rules for the Treatment of Prisoners*; that the brutalisation of inmates will not be tolerated; and that any prison official engaged in mistreating prisoners will held accountable.

Conclusion

The above cases illustrate Amnesty International's ongoing concerns around the conditions for those incarcerated in the prisons of Trinidad and Tobago. The building of a new prison in Port-of-Spain (which Amnesty International has been told will be fully operational in the near future) should do much to ease the severe overcrowding in other facilities. The organization hopes that less overcrowding may ease the tensions that can lead to an atmosphere where the human rights of prisoners are violated by guards.

However, overcrowding or other factors cannot be used to excuse the violation of the human rights of any prisoner. It is the duty of the authorities to protect the rights of those society has found the need to imprison. Amnesty International fears that the authorities are failing in this duty and calls upon the government of Trinidad and Tobago to ensure that all prisoners are treated humanely in line with international standards governing prisons.