Editorial

We greet you in this second issue of the Greater Caribbean for Life’s Quarterly Newsletter with renewed hope and fresh inspiration following the 12th General Assembly of the World Coalition Against the Death Penalty (WCADP) in which GCL participated. In a separate item in this Newsletter we have reported on WCADP’s General Assembly.

In the meanwhile GCL’s Executive has been active in laying the foundations for this important regional organisation. We have conducted a number of Skype planning meetings. GCL’s Executive also took the opportunity to hold a special meeting while members were in Puerto Rico in June to attend the WCADP 12th General Assembly. We have thus been able to develop strategies and programmes for the next three years.

We are happy to announce that GCL has obtained firm commitments for funding of our programme, which will include a speaking tour of some Caribbean countries and training in anti-death penalty advocacy. The tour will involve internationally renowned anti-death penalty advocates.

GCL in action

We are pleased to present GCL’s presentation brochure in English and in Spanish. Thanks to the generosity of the printing company, Andes Industries, in Trinidad, we have been able to produce several thousand copies and have started distributing it to members for dissemination. Please let us know if you need additional copies of this publication.

Highlights

- Human Rights Shadow Reports
- WCADP General Assembly
- Suriname to abolish Death penalty
- The inhumanity of executions
- China: A Ray of Hope?

Quote of this issue

“Stop crime, not lives”

Mandela

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HUMAN RIGHTS REVIEWS: SHADOW REPORTS

In January 2014, GCL established a partnership with the Caribbean Institute for Human Rights and the International Human Rights Clinic of the Inter-American University of Puerto Rico, with the aim of jointly preparing Shadow Reports on the Death Penalty for submission to the Universal Periodic Review of the UN Human Rights Council. The first report concerning Grenada was submitted on 15 June 2014.

The report reviews the country’s situation as regards capital punishment to conclude that “While no executions have been carried out for decades, Grenada’s retention of the death penalty keeps open the possibility of reinstating executions [...] and the government has expressly opposed any international intent to abolish the death penalty”. The report urges Grenada to fulfil its international human rights obligations. In September 2014 a similar report will be submitted for Jamaica.

SUCCESSFUL PROJECT PROPOSALS

GCL prepared a programme of action for its first year, and submitted it to several potential donors for funding. We are pleased to announce that two contributors, the Human Rights and Democracy Programme of the UK Foreign Office and the Swedish Amnesty Fund, agreed to provide funding for the implementation of our activities from June 2014 to February 2015. These include the organisation of campaigning events to mark the next World Day against the death penalty across the Caribbean, as well as efforts to raise GCL’s profile and mobilize supporters. It also allows for the recruitment of a full time coordinator for the project period.

Renowned supporter: As part of our campaigning programme to mark World Day, Mr. Renny Cushing, founder and Executive Director of Murder Victims’ Families for Human Rights and Representative in the State of New Hampshire’s legislature, accepted our invitation to speak at events we will organise in the Bahamas, Jamaica and Antigua between October 4 and 8 of this year. Further information on this important programme will be published as soon as the details become available.

GCL is also working with The Advocates for Human Rights (a US non-profit organization dedicated to promoting and protecting human rights) on the submission of a shadow report regarding the application of the International Convention on the Elimination of All Forms of Racial Discrimination (“CERD”), with particular reference to the application of the Federal Death Penalty Act by the United States in Puerto Rico.

It is well known that one of the abuses of human rights perpetrated by the death penalty in USA and the retentionist countries of the Caribbean is its almost invariable and certainly disproportionate application to black young men. This constitutes yet another strong argument against the death penalty.
The WCADP 2014 General Assembly had two main focuses: taking stock on progress in the Caribbean region, that had been at the heart of the 2013 abolitionist campaign; and looking at issues surrounding mental health and the death penalty, which is the theme of the next World Day Against the Death Penalty on October 10, 2014.

Caribbean Progress - The first plenary session which was dedicated to the situation of capital punishment in the Caribbean carried very heartening news. Chief among them was the upcoming abolition of the death penalty in Suriname. Dr. Ruth Wijdenbosch, Vice-Chair of Suriname’s National Assembly, and prominent member of the organisation Parliamentarians for Global Action, told the meeting that a bill was currently under review in Parliament to abolish the death penalty in Suriname’s Criminal Code. Other encouraging news included the recent announcement by the Attorney-General of Barbados, Adriel Brathwaite, that the country was preparing to abolish the mandatory nature of the death penalty; and the assurance that Haiti, which has abolished the death penalty, would fast-track the ratification of the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty.

Also encouraging, Puerto Rico, host country for the meeting, offered a powerful illustration of the strength of its anti-death penalty activism, across all strata of society. While the Puerto Rican people abolished the death penalty in 1929 and banned it in its Constitution in 1952, the country remains under the threat of capital punishment through US federal law. Several prominent political figures including David Bernier, Puerto Rico’s Secretary of State, Pedro Pierluisi, Resident Commissioner in Washington D.C. and former Secretary of Justice, and Miguel Pereira Senator and former Police Chief and Corrections Secretary, came to express their abolitionist convictions. Their testimonies echoed that of Juan Melendez, a Puerto Rican who spent more than 17 years on death row in Florida for a crime he did not commit. He has been a vocal abolitionist advocate since his exoneration in 2002.

The situation of capital punishment in the Greater Caribbean region was described, recalling that there were still 108 people on death row in eight English-speaking Caribbean countries, but also recalling the progress made in the region, thanks to a series of judicial decisions that limited the application of the death penalty. Parvais Jabbar of the London Death Penalty Project welcomed these developments – especially the rulings against any execution after a long delay and imposing greater transparency on clemency and pardon procedures, and the introduction of principles in sentencing. He pointed out that the judiciary could not outlaw capital punishment completely in most English-speaking Caribbean countries so that progress through the courts had reached its limits because abolishing the death penalty was, at the end of the day, a political issue.
In this context, the renewed efforts by Caribbean abolitionists to better coordinate their work and to support each other through a common network is all the more important. This session on the Caribbean provided an opportunity for Leela Ramdeen, Chair of GCL to introduce the Greater Caribbean for Life to the abolitionist community, explaining how the organisation had come into existence, describing its initial achievements and outlining its future plan of action.

Throughout the meeting, GCL representatives have been able to exchange ideas and experiences with fellow abolitionists from several countries, to hear vibrant testimonies, to identify potential resources or partners, and to learn about campaigning techniques and about issues related to the death penalty, particularly regarding mental health and the death penalty.

Mental health in relation to the death penalty was the second focus of the meeting. Experts and practitioners explained that people with mental health issues were disproportionately and wrongly affected by the death penalty, both before and after sentencing. According to the expert psychologists, some of the key aggravating factors were the fact that intellectual disabilities are difficult to diagnose, and qualified experts are often difficulty to find.

In the Caribbean, it was noted that many defendants in capital cases failed to raise issues of mental health in the courts, because they had not been diagnosed or could not afford forensic experts; and that in some countries, experts were scarce or were employed by the State, which made them less independent. It was suggested that such cases should be appealed on the grounds of new evidence, which is possible in many Caribbean jurisdictions, to create jurisprudence.

For more details see WCADP articles on the General Assembly, its agenda and its Caribbean focus.

SURINAME TO ABOLISH THE DEATH PENALTY

Suriname is about to become the first Caribbean country to make the choice of abolition in the Twenty-First century. The country was considered “abolitionist in practice” as the last judicial execution took place in 1927.

In October 2013, a parliamentary delegation from Suriname participated in a panel discussion involving parliamentarians from 14 different countries. It was organized by the International Commission against the Death penalty and the Inter Parliamentary Union in Geneva. During the discussion, Suriname made a commitment that it would soon abolish the death penalty from its Penal Code. October 10, 2014 was the target date set.
In February 2014, a delegation from the International Commission against the Death Penalty visited Suriname and further encouraged the government of Suriname and the National Assembly to adopt a Criminal Code with no provision for the death penalty. The delegation also recommended the government of Suriname to vote in favour of the UN General Assembly resolution on the global moratorium of the death penalty during the next vote in late 2014.

The draft of the revised Criminal Code in which the death penalty has been removed, was first considered by the Surinamese State Council (Staatsraad), after which it was presented by the President to The National Assembly in May 2014. The parliament, where the move for abolition benefits from a consensual support across party lines, immediately established a Special Committee to prepare the bill’s discussions. The committee is currently holding hearings with relevant organizations before presenting its findings to the Plenary.

The latest developments were reported at the 12th General Assembly of the World Coalition by Dr. Ruth Wijdenbosch, Deputy Speaker of the National Assembly of Suriname and Member of the Executive Committee of Parliamentarians for Global Action (PGA). Dr. Wijdenbosch explained that while parliamentarians were committed to ending capital punishment, they also considered that the pain of relatives who have lost a family member in the hands of criminals was to be considered very seriously, and therefore other amendments to the Penal code were also being considered, such as provisions “to increase the sentences for severe crimes, like murder, from 15 to 20 years and to amend the maximum time for life sentences from 20 to 30 years”.

THE INHUMANITY OF EXECUTIONS - Lethal Injection

GCL condemns the death penalty not only for its inhumanity but for its potential cruelty. In this and subsequent issues we wish briefly to examine the various methods of state executions. In this year three executions in the USA have highlighted this factor. In January, Michael Lee Wilson, an Oklahoma condemned man actually was heard to say as he suffered death: “I feel my whole body burning”. In the same month Dennis McGuire, an Ohio inmate, suffered for 26 minutes after being injected with a lethal injection during which he repeatedly gasped with his mouth opening and closing. On 22 July Joseph Wood, another condemned man in Arizona, was “gasping and snorting” for 117 minutes, nearly 2 hours, after the lethal injection was administered.

These developments led Governor Jay Dixon of Missouri to stay the execution of serial killer, Joseph Paul Franklin until a new drug can be found. US States are now seeking to find other drugs for the lethal injection, but the efforts meet with principled objection from countries which will not allow the supply of drugs for this purpose. The authorities have now to balance the morality and economics of obtaining the drugs from underground sources and the scientific effectiveness of the concoctions. Thus, in the determination to carry out executions, the Authorities are applying combinations of drugs, from unknown sources without any assurances as to what tests have been carried out or guarantee that their application will not amount to torture, inhumane treatment and cruel and unusual punishment.
CHINA: A RAY OF HOPE?

China has the reputation of being the leading State in the number of death penalties carried out yearly. In June of this year China’s Supreme People’s Court overturned the death sentence on a woman who brutally killed and dismembered her husband. However, between 2007 and 2011 the annual number of executions in China decreased by 50%. The popularity of the death penalty has waned in China. Frequently executions in China provoke public anger. Surveys have shown that only 58% of the population support the death penalty, 60% believe that innocent people might be wrongfully convicted and 69% believe that poor offenders are more likely to be put to death than wealthy ones. Even in China there is a ray of hope.


10 October 2014 is approaching...

Dear GCL Members and Caribbean abolitionists,

On 10 October we will once again be celebrating the World Day Against the Death Penalty.

We strongly encourage you to organise an event in your country to mark that date.

The WCADP has compiled materials to help activists...

...and the Greater Caribbean for Life is also committed to provide all the support possible to ensure that 10 October is a day of campaigning throughout the Greater Caribbean. Please notify us of any event you will be organizing.

Let’s prepare!