



# Greater Caribbean for Life

## NEWSLETTER

stop crime,  
not lives

### GCL News

No. 4, September 2015

#### Appointment of Giulia Pasquinelli as Project Manager

GCL members wish our first Project Coordinator, Lysiane Darnat, all the best as she moves into a new phase of her life. We thank her most sincerely for all that she has done to advance the goals of our organisation. She was instrumental in assisting GCL in its work and supporting the Executive in the production of a Strategic Plan. We benefitted from her commitment, dedication and professionalism. She truly displayed initiative and creativity.

GCL welcomes Giulia Pasquinelli, who joined GCL as Project Manager at the end of July 2015. Giulia is already employing her knowledge, skills and experience to assist us as we chart our way forward to achieve the permanent abolition of the death penalty in each and every country of the Greater Caribbean region.

#### Death of Nicole Sylvester

It was with great sadness that GCL members learned that on 2 July our region lost a legal and human rights stalwart and a devoted mother to her 2 sons, Nicole Sylvester, of St Vincent and the Grenadines (SVG). We extend our sincerest sympathies to Nicole's family and friends. Nicole was present at the inaugural meeting of the Greater Caribbean for Life (GCL) held in Trinidad in October 2013. She served as a member of GCL's Executive for a while and remained committed to our goals to work towards the abolition of the death penalty.

At the time of her death, Nicole was the President of the SVG Human Rights Association. She is also a former President of both the SVG and the Organisation of Eastern Caribbean States Bar Associations. Her colleague, Ruggles Ferguson, says, she "has been a live-wire in St Vincent over many years, both in and out of the Bar."

The greatest tribute that we can pay to her is to keep up the struggle. Let the memory of this tireless human rights campaigner spur us on to action. Antoinette Moore, GCL's member from Belize rightly reminded us that "There are all too few of us who wholeheartedly commit our lives to this work and to lose one so young and vibrant is tragic...we honour Nicole and other sisters and brothers we have lost by carrying on in their names and spirits."

May she rest in peace.

Nicole Sylvester (left), Chiara Sangiorgio (AI), and Leela Ramdeen (right) at a meeting with the then Attorney General of TT, Anand Ramlogan (October, 2013)



### Highlights

- 2015 Speaking Tour
- Hearing before IACHR
- Training Academy - Puerto Rico
- Petition to OAS

### Quote of this issue

**"Capital punishment is the most premeditated of murders."**

– Albert Camus

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### 13<sup>th</sup> WORLD DAY AGAINST THE DEATH PENALTY

#### The Death Penalty doesn't stop drug crimes

GCL urges members and allies to prepare activities to mark the 13<sup>th</sup> World Day Against the Death Penalty on 10 October 2015. The theme this year is: *Drug Crimes* ([www.worldcoalition.org/worldday.html](http://www.worldcoalition.org/worldday.html)). The aim is to raise awareness of the need to work towards the reduction of the use of the death penalty for drug-related offences – on our journey towards total abolition.

**Please let us know what you are planning to commemorate World Day and if you need any support. Contact Giulia at [contact@gclforlife.org](mailto:contact@gclforlife.org)!**



# Greater Caribbean for Life

## Upcoming activities

### 2015 GCL SPEAKING TOUR

To commemorate the 13th World Day against the Death Penalty, and in view of the success of its first Speaking Tour to six countries in 2014 (Antigua, Jamaica, St Lucia, Grenada, Barbados and the Bahamas), GCL is planning its second Speaking Tour which will take place in November 2015. We plan to visit four countries (Barbados, St Vincent, St Kitts, and Guyana). We continue with our theme: *Stop crime, not lives!*

Inter alia, the tour aims to:

1. spread the abolitionist message by raising awareness of the inhumanity of the death penalty and of its ineffectiveness as a crime reduction strategy;
2. enable GCL to network with individuals and organisations, to recruit members and to mobilise support for our cause;
3. lobby those in authority and seek to convince Governments in those countries to sign the UN Moratorium - as a first step towards abolition;
4. share alternative strategies for crime reduction - other than the death penalty.

Last year's experience has shown that beyond the public conferences, media appearances by the speakers (TV and radio programmes) can have a far-reaching impact, allowing GCL to bring the message to the larger public and to generate debate on the issue. Therefore a stronger emphasis will be placed on media appearances during the 2015 tour.

GCL will also seek, where possible, to partner with educational institutions, particularly universities. The first tour was well received by student populations in the various countries, especially law students, and GCL will build on this partnership. Efforts will be made to reach out to University students, members of national youth groups and other youth organisations.

This year the speakers on tour will be **Carmelo Campos Cruz**, GCL Deputy-Chair, attorney, human rights activist, professor of Criminal Justice and founder of Puerto Rican Coalition Against the Death Penalty. GCL has also recruited the support of **Bill Pelke**, founder of an organization that is led by murder victim family members who are opposed to the death penalty. He is also the author of a book entitled: *Journey of Hope...From Violence to Healing*. His grandmother, Ruth Elizabeth Pelke, was murdered in 1984 by four teenage girls. For more information please click [here](#).

GCL's tour to Guyana will coincide with a regional Seminar organised by the Delegation of the EU to Guyana, Suriname, Trinidad and Tobago, and the Dutch Overseas Countries and Territories from 23-25 November. GCL has been invited to participate in this Seminar which will take place in Georgetown, Guyana. It will seek to encourage the abolition of the death penalty in the wider Caribbean region.

### 2014 Speaking Tour



### Bill Pelke



### Tentative Agenda of the Speaking Tour

**November 2015**

**Barbados: 8-11**

**Saint Vincent: 11-12**

**St Kitts: 12-14**

**Guyana: 22-26**



# Greater Caribbean for Life

## GCL PRESENTED REGIONAL SITUATION TO INTER-AMERICAN COMMISSION ON HUMAN RIGHTS

During a dedicated one hour thematic hearing at the 154<sup>th</sup> Session of the **Inter-American Commission on Human Rights (IACHR)** held on Mon 16 March 2015, Leela Ramdeen, GCL's Chair, and Carmelo Campos Cruz, GCL's Deputy Chair, addressed the IACHR on issues relating to the death penalty in the Greater Caribbean. The Session was held at the Organisation of American States (OAS) headquarters in Washington, D.C., USA. The hearing can be accessed by clicking [here](#).

GCL's representatives stressed that the death penalty is inhumane and does not make societies safer. They urged the IACHR to issue the following recommendations to all Member States of the OAS:

1. Sign and/or ratify the international and regional instruments which aim at the abolition of the death penalty (the First and the Second Optional Protocols to the International Covenant on Civil and Political Rights and the Protocol to the American Convention on Human Rights to Abolish the Death Penalty).
2. Strengthen their criminal justice systems, for example, by: improving their law enforcement agencies, detection and conviction rates, Forensic capabilities, and Court facilities; developing and implementing effective witness protection programmes, and dealing with incompetence and corruption, for example, in some Police Forces.
3. Request retentionist Member States of the OAS to provide accurate and ongoing information to the IACHR about persons sentenced to death and their demographic characteristics.
4. Build on the positive developments in the region and establish a moratorium on executions, with a view to abolish the Death Penalty and commute all death sentences to terms of imprisonment.
5. Request that the Government of the United States immediately declares a moratorium on the application of the Federal Death Penalty Act in Puerto Rico (a territory of the USA) and the certifications of death penalty cases, and prohibit their use in court proceedings already initiated before the Court of the Federal District for the District of Puerto Rico.
6. Take appropriate action to address the root causes of crime, employ innovative and effective strategies to reduce crime, address the needs of the victims of crime, and find non-lethal means to protect society from offenders.

GCL's representatives expressed the organisation's commitment to continue working with the IACHR to support the regional process at the OAS towards the total abolition of the death penalty, and to cooperate with the IACHR and OAS States in this process.

During their visit to Washington, GCL's representatives also met with officials at the IACHR, as well as with representatives of permanent missions to the OAS and abolitionist organisations located in the US capital.



**Leela Ramdeen, GCL's Chair, and Carmelo Campos Cruz, GCL's Deputy Chair, addressing members of the IACHR on 16 March 2015**



# Greater Caribbean for Life

## GCL HEADED PETITION TO OAS

Last April GCL, together with **55 organizations and institutions**, sent a petition requesting all Members States of the **Organization of American States (OAS)**, to **address the issue of the death penalty during its 45th Regular Session of the General Assembly in June 2015**. This is the first time that our organization embarked on the process of petitioning before this organization, with the long-term objective of bringing the abolitionist campaign to the OAS agenda.

This request was made in the context of the 25<sup>th</sup> anniversary of the Protocol to the American Convention on Human Rights to Abolish the Death Penalty, adopted in Asuncion, Paraguay on June 8, 1990. As the discussion on the death penalty has evolved substantially during this period, this anniversary provided an excellent opportunity for the OAS to formally include this issue.

The petition requested OAS' Member States to approve a resolution, which was recommended to include the following:

1. To initiate a comprehensive discussion of the death penalty in the Americas within the OAS, and between Member States, civil society organizations, scholars and experts;
2. To invite the Inter-American Commission on Human Rights to undertake a study of persons waiting for execution in the Americas, with special emphasis on the Members States of the Greater Caribbean; and
3. To urge all Member States to declare a moratorium on executions while that discussion is being undertaken.

As Leela Ramdeen, GCL's Chair, stated in a press release issue on 20 April, "There is strength in unity. The 55 organisations that endorsed this petition are among those who recognize that the death penalty is a human rights violation; it is not a deterrent. Vengeance is not an effective way of meeting the needs of victims of crime or of creating safe, secure and just societies. The OAS can play a major role in urging its members to find non-lethal means of dealing with crime and violence."

56 organisations located in all regions around the World, including 21 from the Greater Caribbean, gave their support to this request (see the list on the next page). It is important to acknowledge the collaboration of the International Human Rights Clinic, Santa Clara University School of Law in the process of drafting this petition and for promoting this action, as well as the cooperation of the National Coalition to Abolish the Death Penalty (USA) and the World Coalition Against the Death Penalty for distributing our invitation to their members for endorsement.



OAS Main Building, Washington, D.C., USA



# Greater Caribbean for Life

## List of Organizations and Institutions (country or region) that signed the OAS petition - in alphabetical order

1. Action by Christians for the Abolition of Torture – France (ACAT) (France)
2. Action by Christians for the Abolition of Torture in Liberia (ACAT) (Liberia)
3. American Civil Liberties Union Foundation (United States)
4. American Civil Liberties Union of Puerto Rico (Puerto Rico)
5. Asociación Americana de Juristas (The Americas)
6. Asociación para el Desarrollo Legislativo y la Democracia (LEGIS) (Guatemala)
7. Asociación por la Integridad de la Gestión Pública (INTEGRIDAD) (Guatemala)
8. Catholic Commission for Social Justice, Archdiocese of Port of Spain (Trinidad and Tobago)
9. Centre d'Observation des Droits de l'Homme et d'Assistance Sociale (CODHAS) (Democratic Republic of the Congo)
10. Centro de Acción Legal-Ambiental y Social de Guatemala (CALAS) (Guatemala)
11. Coalición Puertorriqueña contra la Pena de Muerte (Puerto Rico)
12. Colegio de Abogados y Abogadas de Puerto Rico (Puerto Rico)
13. Comisión Cubana de Derechos Humanos y Reconciliación Nacional (Cuba)
14. Comisión Ecuémica de Derechos Humanos (Ecuador)
15. Comisión Nacional de los Derechos Humanos (CNDH-RD) (Dominican Republic)
16. Familiares y Amigos contra la Delincuencia y el Secuestro (FADS) (Guatemala)
17. Fundación Myrna Mack (Guatemala)
18. German Coalition to Abolish the Death Penalty (Germany)
19. Greater Caribbean for Life (Caribbean)
20. Grenada Revolution Memorial Foundation (GREMFO) (Grenada)
21. Groundation Grenada (Grenada)
22. Grupo de Apoyo Mutuo (Guatemala)
23. Hands off Cain (Italy)
24. Human Rights Advocates (HRA) (United States)
25. Human Rights Commission of Belize (Belize)
26. Instituto Caribeño de Derechos Humanos (ICADH) (Puerto Rico)
27. Instituto de Estudios del Proceso Penal Acusatorio A.C. (INEPPA) (Mexico)
28. Instituto de Investigación y Promoción de los Derechos Humanos (INIPRODEH) (Puerto Rico)
29. International Center for Advocates Against Discrimination (ICAAD) (United States)
30. International Federation for Human Rights (FIDH) (International)
31. International Human Rights Clinic, Santa Clara University School of Law (United States)
32. Iraqi Coalition against Death Penalty (Iraq)
33. Italian Coalition to Abolish the Death Penalty (Italy)
34. Japan Innocence and Death Penalty Information Center (Japan)
35. Journey of Hope... from Violence to Healing (United States)
36. Kansas Coalition Against the Death Penalty (KCADP) (United States)
37. LatinoJustice Puerto Rican Legal Defense and Education Fund (PRLDEF) (United States)
38. League of Women Lawyers of Tajikistan (Tajikistan)
39. Lifespark (Switzerland)
40. Lualua Center for Human Rights (LCHR) (Lebanon)
41. Mano River Union (MRU) Youth Parliament (Sierra Leone)
42. Murder Victims' Families for Human Rights (International)
43. National Coalition to Abolish the Death Penalty (United States)
44. Ordre des avocats de Paris / Paris Bar (France)
45. Parliamentarians for Global Action (PGA) (International)
46. Pax Christi Uvira (Democratic Republic of the Congo)
47. Réseau d'Alerte et d'Intervention pour les Droits de l'Homme (RAIDH) (France)
48. Sínodo del Caribe de la Iglesia Evangélica Luterana en América (Caribbean)
49. South Dakotans for Alternatives to the Death Penalty (United States)
50. St. Vincent and the Grenadines Human Rights Association (St. Vincent and the Grenadines)
51. Syndicat national des agents de la formation et de l'éducation du Niger (SYNAFEN) (Niger)
52. The Advocates for Human Rights (United States)
53. The Bahamas Human Rights Network (BHRN) (The Bahamas)
54. The Embrey Human Rights Program, Southern Methodist University (United States)
55. The National Death Row Assistance Network (NDRAN) of Citizens United for Rehabilitation of Errants (CURE) (United States)
56. World Coalition Against the Death Penalty (International)



# Greater Caribbean for Life

## ABOLITIONIST ACADEMY IN PUERTO RICO

The **first edition of the Abolitionist Academy** co-organized by GCL and the Puerto Rican Coalition against the Death Penalty (PRCADP) took place in **Puerto Rico on 21 and 28 March 2015**. This training is part of a larger effort by GCL to educate the wider public about the need to abolish the death penalty as agreed in GCL's Strategic Plan.

The aim of the initiative was to provide a basic training on the fundamentals of the death penalty and its use in the United States, the Greater Caribbean region and the world and to train participants on advocacy tools for the abolition of capital punishment. The training saw the participation of **15 trainees** from the following organizations: Amnesty International (Puerto Rico), Secular Humanists, Allan Kardec Spirit School, Comité Amplio para la Búsqueda de Equidad (CABE) and Programa de Autogestión Ciudadana. Highly qualified trainers from different walks of life contributed to the two-day training. Among these, representatives of the Death Penalty Information Centre, the Puerto Rican Coalition against the Death Penalty and the Puerto Rico Bar Association.

Topics for the various sessions included:

1. The penalty of death in the United States, history and present
2. The process of death penalty in the federal courts of the United States
3. The death penalty in Puerto Rico, history and present
4. Capital punishment in the international arena
5. The Greater Caribbean and the death penalty
6. Morality, religion and death penalty
7. The death penalty from a criminological perspective
8. The death penalty and human rights
9. Lobbying and the death penalty

GCL is planning to organise more trainings in the Greater Caribbean region in the near future. Trainings are a key educational tool and they can have multiplier effect. **If you are interested and would like to organise a training in your country please contact Giulia for more information at [contact@gclforlife.org](mailto:contact@gclforlife.org)! Spread the word!**



Participants and speakers of the First Abolitionist Academy in San Juan, Puerto Rico



# Greater Caribbean for Life

## THE INHUMANITY OF EXECUTIONS - ELECTROCUTION

In an earlier Newsletter (Vol.2, No.2) we examined one of the so-called modern methods of execution, namely lethal injection, and pointed out the cruel and inhumane result of its application.

In this article we will examine another method of execution which has been used in the United States, a technologically advanced country, namely, electrocution. In recent times, the states of Alabama, Arkansas, Florida, Illinois, Kentucky, Oklahoma, South Carolina, Tennessee and Virginia have laws that either allow the prisoner to choose electrocution or prescribe the electric chair as the sole method of punishment if the crime was committed before a certain date.

The case of Paul Warner Powell is well-known and illustrative of the inhumanity of electrocution as a method of implementing the death penalty. Powell was put to death in the State of Virginia on March 18, 2010. According to the reports the protocol adopted in Virginia to execute Powell involved the passing of two cycles of electricity through the prisoner's body after he had been strapped to the chair. Each cycle last 90 seconds with a slight pause in between. The cycles of electricity are designed to kill by causing fatal damage to the internal organs, especially the brain. The theory behind the electricity chair is that the first jolt of electricity is supposed to cause immediate

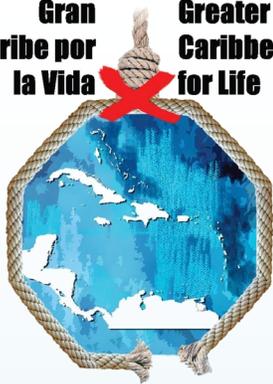
unconsciousness and or brain death. The execution is supposed to be completed when the prisoner's heart arrests from electrical overstimulation. However, the various electric chair protocols have on occasion gone horrible wrong. There was the horrific spectacle of the gory electrocution of Allen Lee Davis in Florida on July 8th, 1999. Mr. Davis was weight some 350 pounds and had to be strapped into a chair specifically designed for his weight and frame. However, before he was pronounced dead and after the first jolt of electricity was passed through him, blood came gushing from his nose and mouth. Davis also suffered burns on his head, face, leg and groin areas. "There was evidence that Davis was partially asphyxiated before and during the electrocution from the five-inch-wide mouth strap that belted him to the chair's headrest." (Ohio State Law Journal: ([http://moritzlaw.osu.edu/students/groups/oslj/files/2012/03/63.1.denno\\_.pdf](http://moritzlaw.osu.edu/students/groups/oslj/files/2012/03/63.1.denno_.pdf)).

There are recorded case of other prisoners suffering large burns as a result of catching on fire and even one case in which the prisoner was given a total of 5 jolts of electricity over the course of 17 minutes before his hear actually stopped.

It is clear that State authorities cannot give any assurance that the execution of condemned persons by this method will not result in cruel and inhumane treatment of a human being.

**"The search for a more humane execution is flawed because there's no such thing...The real logic of modern executions is that if the prisoner is quiet enough, then we can forget that there is a person in there."**

(Jason Silverstein: <http://www.theguardian.com/commentisfree/2015/apr/13/search-humane-execution-flawed-no-such-thing-oklahoma>)



# Greater Caribbean for Life

## Last Person on Belize's Death Row To Be Resentenced

On July 13, 2015, the Chief Justice of the Supreme Court of Belize quashed the death sentence that had been imposed on Glenford Baptist almost 14 years ago. The Court will re-sentence Baptist in October. Baptist, who was convicted of murder and sentenced to death in November 2001, has for many years been the last man on death row in the Belize Central Prison. He has spent those years with the terrifying uncertainty of whether he would live or die at the hands of the state.

At the time when Baptist was originally tried, along with two co-accused for murder, the death penalty was mandatory in Belize. Less than a year later in March 2002 in the case of *Reyes v the Queen (2002) 2 AC 235*, the Privy Council found that the mandatory death penalty in Belize was unconstitutional because it violated section 7 of the Belize constitution. Section 7 is the prohibition of torture or inhuman punishment and states, "No person shall be subjected to torture or to inhuman or degrading punishment or other treatment." The Privy Council found that the mandatory sentence was cruel and arbitrary because persons would suffer a punishment that took their lives yet they were not permitted to offer mitigation for the trial judge's consideration.

Since this landmark decision, the death penalty is reserved in Belize for only the worst of the worse cases for those offenders who are considered irredeemable who have committed the most heinous and unconscionable of acts.

The sentence of a person convicted of murder is now within the discretion of the trial judge, who may sentence the convicted person to the ultimate punishment of death or to life in prison. Baptist should have had the opportunity to offer mitigation so that he might have been sentenced to a penalty other than the death sentence.

In addition to applying the *Reyes* decision to the Baptist case, the Privy Council case of *Pratt and Morgan (1994) 2 AC 1*, was also applicable. In *Pratt and Morgan*, a death penalty case out of Jamaica, the Privy Council said that executing a person who has been under a sentence of death for more than 5 years is unlawful and unconstitutional. The Court said that it should not be the practice in the Caribbean for a person to spend years waiting to be executed because it would constitute inhuman treatment. The Supreme Court of Belize recognized that Baptist's 13 years on death row clearly amounted to inhuman treatment under *Pratt and Morgan* and thus his death sentence was unlawful.

Belize has not carried out an execution since 1985. Belize is one of a few remaining countries in Central and South America that retain the death penalty in its laws. The human rights community of Belize is pleased that Belize is a *de facto* abolition State and is hopeful that in the near future the death penalty will be outlawed in our jurisdiction. The quashing of Glenford Baptist's death sentence is another step in that direction.

## GCL is recruiting new members!

Cultural and social changes are long-term processes. Individuals and organisations can contribute to incremental change in their countries and promote the establishment of more just societies. GCL believe that we can all speak much louder if we speak with one voice. Therefore we are recruiting new members to join our organisation.

If you, your friends, and/or organisations with which you are involved wish to join GCL, please get in touch with Giulia at [contact@gclforlife.org](mailto:contact@gclforlife.org).