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PUBLIC STATEMENT

TRINIDAD & TOBAGO

DEATH PENALTY RULING -- A POSITIVE STEP

Today's decision by the Judicial Committee of the Privy Council (the "Privy Council") re-affirms the duty of the government of Trinidad and Tobago to respect international human rights protection mechanisms, Amnesty International said today.

The Privy Council -- Trinidad and Tobago's highest court of appeal, located in London -- ruled on constitutional motions brought by Darrin Roger Thomas and Haniff Hillaire, who are both under sentence of death in Trinidad and Tobago, stating "that to carry out the death sentences imposed on the [men] before the final disposal of their respective applications to the Inter-American Commission and Court on Human Rights would be a breach of their constitutional rights." The court therefore stayed their executions.

Welcoming today's ruling, Amnesty International is calling on the government of Trinidad and Tobago to respect the internationally protected rights of *all* people within its borders and the mechanisms created to ensure the implementation of those rights.

Darrin Roger Thomas and Haniff Hillaire had both petitioned the Inter-American Commission on Human Rights (Commission) claiming that their rights as protected by the American Convention on Human Rights (American Convention) had been violated.

The government however scheduled their executions last year, despite the fact that the Commission had not finished considering their cases. The Inter-American Court on Human Rights ruled in August that to execute them would "create an irremediable situation incompatible with the object and purpose of the American Convention on Human Rights.

Amnesty International believes that the rulings by the Privy Council and by the Inter-American Court on Human Rights should leave the government of Trinidad and Tobago in no doubt that nobody should be executed while they have a petition to an international human rights body pending.

Background

The Commission and the Inter-American Court on Human Rights are bodies of the Organization of American States (OAS). Their main function is to promote respect of human rights in their member States.

In carrying out this role, the Commission regularly considers petitions on behalf of people claiming that a government (OAS member) has violated their rights as set out in the American Convention or American Declaration on the Rights and Duties of Man. In the absence of an agreement between the parties, the Commission issues conclusions and when appropriate makes recommendations for the State to take measures to remedy any violation found.

ENDS.../