

URGENT ACTION

EXECUTION BILL DEFEATED

A bill that would have made it easier for Trinidad and Tobago to resume executions was defeated in a 28 February vote in Congress. The legislation could have put dozens of death row prisoners in immediate danger of execution.

The bill, which the government had put before parliament on 14 January, would have altered the constitution. After two weeks of debate, it was defeated by 29 votes to 11. It would have needed 31 votes to be enacted.

Both the opposition and the ruling coalition had said recently that they were in favour of the death penalty, and called for a prompt resumption of executions, but failed to agree on the bill. Opposition leader Dr Keith Rowley said the legislation was seriously flawed and would not have facilitated the implementation of the death penalty. On the contrary, he said, it would only result in the "effective abolition" of the death penalty. Resumption of executions is presented as a crime-control measure, by both the ruling coalition and the opposition, though there is no convincing evidence that the death penalty has any special deterrent effect on crime.

The bill cannot be reintroduced for another six months. Amnesty International's concerns have been reflected in a debate on the death penalty now underway in the country. Voices are now being heard challenging the supposed deterrent effect of the death penalty on crime as presented by the government.

No further action is requested by the UA network. Many thanks to all who sent appeals.

This is the first update of UA 30/11. Further information: <http://www.amnesty.org/en/library/info/AMR49/002/2011/en>

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ADDITIONAL INFORMATION

The Bill would have enabled death sentences to be carried out even when appeals had been lodged with international bodies and not yet ruled on. In particular, it would have given the president the power to limit the time within which condemned prisoners could appeal to people or organizations outside Trinidad and Tobago. After the time limits ended, executions could have been carried out even if the appeal had not been concluded. Implementing a death sentence while an appeal is pending is against international human rights standards relating to the due process of law.

The bill would also have allowed the authorities to circumvent a 1993 ruling by the highest court of appeal for Trinidad and Tobago, the Judicial Committee of the Privy Council, which is in the British capital, London. According to the 1993 ruling, a delay of more than five years in implementing a death sentence would be cruel and inhuman treatment. If the bill had been passed, those sentenced to death could have been executed even if they remained on death row for more than five years.

Further information on UA: 30/11 Index: AMR 49/003/2011 Issue Date: 02 March 2011

