

# AMNESTY INTERNATIONAL PRESS RELEASE

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## **English speaking Caribbean: New court to replace Privy Council - must uphold standards**

*The decision by 11 Caribbean states to establish a Caribbean Court of Justice as the region's final court of appeal was today described by Amnesty International as "a development that may be motivated by a desire to increase the number of executions." The new court will replace the Judicial Committee of the Privy Council.*

*"We fear that this court is being created to make it easier for these states to put people to death," the human rights organization said. "Judicial precedents that protect the rights of death row inmates may be threatened."*

*The creation of the new court follows years of attacks by Caribbean politicians on Privy Council rulings designed to safeguard the legal rights of detainees on death row. The Prime Minister of Jamaica recently accused the Privy Council of "tearing up the law books" following its September 2000 ruling in the case of Neville Lewis. The Attorney General of Barbados claimed that the court applied British and Eurocentric notions."*

*Amnesty International has made it clear that it recognises the right of sovereign countries to decide which court should be their final arbiter in legal matters, but insists that all courts must safeguard the rights to all those accused or convicted of offences.*

*The Privy Council adjudicates using the constitution of the country from which the case originated.*

*When Privy Council decisions were unpopular with the electorate, Caribbean leaders chose to attack the court. The new regional court may be susceptible to this kind of pressure, and that could impact on its ability to uphold international judicial standards in contentious cases," Amnesty International added.*

The human rights organization today published five questions which, it said, must be adequately publically answered if the Caribbean Court of Justice is to be regarded as a bastion of internationally accepted standards of jurisprudence:

\$ what measures are being taken to ensure the court is free from political interference?

\$ what measures are being taken to ensure the judges who administer justice are willing to uphold internationally accepted standards of jurisprudence and are trained and aware of such standards?

\$ is there adequate provisions of legal aid for indigent defendants to appeal to the court?

\$ what body will appoint judges to the court and will the judges have tenure of office, thereby protecting them from political inference to some degree?

\$ will the court uphold the legal precedents, established by Privy Council rulings, safeguarding the rights of those appealing?

Amnesty International has numerous and serious human rights concerns in the region. The organization believes that the final court of appeal in the region must administer the highest international standards of justice if the people under the court=s jurisdiction are to enjoy their full human rights.

Amnesty International calls upon the political leadership and all those involved in the establishment of the court to do everything within their power to guarantee that the court becomes a bastion of human rights protection.

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