

AI Index: PRE 01/065/2011
16 February 2011

Trinidad and Tobago urged to stop drive towards executions

Amnesty International has urged members of Trinidad and Tobago's parliament to vote against a constitutional amendment Bill which would allow executions to be resumed in the country.

Under the proposed Bill, scheduled to be debated on 18 February, courts across the country would be able to circumvent judicial rulings that enhanced human rights protection and resulted in a halt to executions in 1999.

Authorities in the Caribbean nation claim carrying out executions is a way to tackle rising numbers of murders and deter others from committing violent crime.

"Trinidad and Tobago has a real problem with murder and violent crimes, but experience has shown that facilitating executions is not the solution," said Chiara Liguori, researcher on Trinidad and Tobago at Amnesty International.

"Hurrying executions or ignoring appeals already in progress violates defendants' rights by denying them due process guaranteed under international law.

"The proposed Bill would allow people to be executed even if they were appealing against their sentence, which is their right."

"We urge Parliament not to accept the proposed Bill and instead tackle the root causes of violent crime and reform the police and justice systems."

"What may seem a technical change in the Constitution is in fact a matter of life and death for many people."

More than 40 people are currently on death row in Trinidad and Tobago.

In 1984, the United Nations' Economic and Social Council said an execution should not be carried out if there's any appeal or recourse procedure pending on the case.

The new Bill would circumvent this principle and allow for expedited executions.

Currently, under a ruling by the Judicial Committee of the Privy Council, acting as the highest court in the country, any execution carried out five years after the original sentence constitutes torture, which is illegal under the country's Constitution.

The lengthy appeals process for death penalty cases means that, in practice, no executions are able to be carried out within the five year period and most sentences have been commuted to prison terms.

But Amnesty International says the proposed Bill will ignore that ruling and make the constitution

inconsistent with human rights.

“We are extremely concerned that the New Bill would allow for someone to be executed within a short period after a sentence is passed, not allowing for proper appeals and that others could be kept on death row for years on end,” said Chiara Liguori.

The prime minister, Kamla Persad-Bissessar, has been reported as referring to the death penalty as a "weapon in [our] arsenal" to fight the murder rate.

She is quoted on her Facebook website as saying: “The Government that I have the honour to lead will ensure that this law is implemented and convicted murderers must suffer and pay the ultimate price by having the sentence of death carried out.”

The country is one of 93 countries in the world which retains the death penalty for ordinary crimes.

Even though death sentences have continued to be handed out in Trinidad and Tobago, no executions have been carried out since 1999.