

# **PUBLIC STATEMENT**

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## **Trinidad and Tobago: civil society calls for an end to mandatory death penalty**

On 10 December 2011 representatives of civil society have gathered in Port of Spain, Trinidad and Tobago, to mark the 2011 Human Rights Day and demand the removal of the mandatory death penalty from the country's statute books.

The call was made by representatives of non-governmental organizations from Trinidad and Tobago, the Bahamas, Belize, Dominica, and delegates from international human rights organization Amnesty International.

Trinidad and Tobago and Barbados are the only English-speaking Caribbean countries which retain the mandatory death penalty for murder. However, authorities of Barbados have already pledged to remove mandatory sentencing from national legislation, reportedly by the end of 2011. International and regional human rights bodies have found the automatic and mandatory imposition of the death penalty is an arbitrary deprivation of life as it does not allow the possibility of taking into account the defendant's personal circumstances or the circumstances of the particular crime. Many countries around the world have also rejected mandatory death sentences including: Guyana, Malawi, Kenya, Bangladesh, and Uganda.

The last executions in Trinidad and Tobago took place in June and July 1999, when 10 men were hanged. Even though no execution has been carried out for more than a decade, death sentences have continued to be imposed.

Earlier in the year, Trinidad and Tobago's government submitted a Bill for approval by Parliament to amend the Constitution in relation to the implementation of the death penalty. The Bill, if enacted, would have enabled death sentences to be carried out while appeals before international bodies were pending, against international human rights law related to fair trial.

The Bill would have also permitted authorities to circumvent a 1993 ruling by the highest court of appeal for Trinidad and Tobago, the Judicial Committee of the Privy Council in London. This stated that a delay of more than five years in implementing a death sentence would be cruel and inhuman treatment. If the Bill had been passed, people sentenced to death could have been executed even if they had remained on death row for more than five years. Local activists voiced their opposition to this move.

The United States of America continues to be the only executioner in the Americas, but even there positive signs have shown that the country is progressively turning against the use of this punishment, most recently with a moratorium on executions declared in the state of Oregon. In recent years, with the exception of one execution in Saint Kitts and Nevis in 2008, the Caribbean remained an execution-free region. This year, legislative changes regulating the implementation of the death penalty were passed in Jamaica and Bahamas. The Belizean government proposed to modify the constitution with the same aim.

There is no convincing evidence that the death penalty deters crime more effectively than other punishments. On Human Rights Day, civil society has called on the authorities of English-speaking Caribbean nations to put the emphasis on improving the capacities of the police to detect and solve crimes, on promoting rights-awareness and on implementing effective measures tackling the root causes of crime and violence and on making the country's

criminal law consistent with international standards and prohibitions on the use of the death penalty.

<b>Organizations</b>
Network of Rural Women Producers, <i>Trinidad and Tobago</i>
Network of NGOs for the advancement of women, <i>Trinidad and Tobago</i>
RED Initiatives, <i>Trinidad and Tobago</i>
Caribbean Center for Human Rights, <i>Trinidad and Tobago</i>
Doh Do Death, <i>Trinidad and Tobago</i>
Catholic Commission for Social Justice, <i>Trinidad and Tobago</i>
Belize Human Rights Commission, <i>Belize</i>
National Dominica Youth Council, <i>Dominica</i>
The Bahamas Human Rights Network, <i>the Bahamas</i>
Amnesty International

<b>Individual</b>
Mr. Ishmael Samad, <i>Trinidad and Tobago</i>