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Freedom from fear in Trinidad and Tobago: The right of the citizen and the failures of the government

Amnesty International is here today to express international solidarity to the numerous victims of human rights violations in Trinidad and Tobago and to the community of human rights defenders. It is the duty of all to strive to protect the human rights of every individual. Governments, the United Nations, human rights organisations, the business community and individuals must all play their part in promoting and protecting human rights. Not only do the authorities of Trinidad and Tobago have a responsibility to protect the human rights of all the people of this state, but they are also accountable to the international community because the protection of human rights is of global concern and is subject to international treaties.

Trinidad and Tobago has a rich legacy of struggle to maintain the human rights of its people: from the resistance to slave labour in the plantations; to the Waterport strikes of 1919; to the hunger marches and to the struggles of the workers in the cocoa fields, sugar cane fields and oil fields. Trade unions, political parties and people's organisations were born out of these struggles. Amnesty International honours the memories of people like Tubal Uriah "Buzz" Butler, Elma Francois and Adrian Cola Rienzi.

However, we are here today because we have over the past two or three years become increasingly alarmed at the failures of the government to administer properly the criminal justice system. From the supervision of the police; to the administration of the prisons and the sentencing and punishment of offenders, the government has repeatedly failed to meet its international obligations in matters of human rights protection. As a result, crime is soaring; citizens live in fear and impunity has become the norm.

Let me illustrate some of our concerns.

The government has consistently failed to investigate promptly and prosecute police officers responsible for the numerous incidents of police brutality, including some police killings and deaths in custody. To Amnesty International's knowledge, no comprehensive data has been made public on these incidents. The government has failed to implement the recommendations of the successive committees which have investigated the police service. To our knowledge, none of the 300 recommendations made by the O'Dowd Committee in 1991 were ever implemented. The Police Complaints Authority has never been provided with the adequate resources it needs to fulfil its mandate.

Standards for fair trials have been undermined by the failure of the government to institute an effective system of witness protection; to exclude coerced confessions from court evidence; and in many instances to ensure that suspects are informed of their rights to a lawyer.

Prison conditions continue to violate United Nations standards for minimum treatment of prisoners. 1,300 inmates are confined in Frederick Street Prison, which was built for 175 prisoners. Cells lack ventilation; sanitation is poor; the food is unpalatable; access to healthcare is restricted; infectious diseases are preponderant. These conditions amount to cruel, inhuman and degrading treatment. Children held on remand have been ill-treated and in some instances detained alongside with adults, in violation of Trinidad and Tobago's obligations under the Convention on the Rights of the Child.

In the administration of the death penalty, the authorities have failed to conform to the instructions of the Privy Council, United Nations Human Rights Committee, the Inter-American Commission on Human Rights, in an attempt to expedite executions. Last year, Trinidad and Tobago was one of the 31 countries to have executed prisoners and this country has now won the dubious record of having executed last year the highest number of prisoners per capita, and for holding today the highest number of prisoners on death row, per capita, in the world.

So obsessive is the frenzy to hang prisoners that the government has taken the unprecedented step of withdrawing from the first Optional Protocol of the International Covenant on Civil and Political Rights, effective 27 June 2000, and has withdrawn completely from the American Convention on Human Rights, thus depriving all people of Trinidad and Tobago of an essential layer of protection of their rights.

When confronted with these failures, the government has used diversionary rhetoric - by brandishing the old, battered argument of sovereignty; by accusing Amnesty International of trying to politically destabilise the Caribbean; by attacking national and regional media; by refusing to engage in a frank and direct debate with our organisation and by deliberately misleading the public, in claiming that the death penalty is not a human rights issue. Instead of seriously addressing the legitimate security concerns of the population, the government has resorted to hanging in a misguided attempt to persuade the public that it is dealing with violent crime. In the meantime, ordinary citizens continue to die at the hands of criminals.

In the coming months, the citizens of Trinidad and Tobago will exercise their democratic right to choose who will lead the country in the coming years. Amnesty International requests that all political parties clearly outline their policies detailing how they intend to protect and promote the human rights of all in Trinidad and Tobago.

How will they ensure the administration of justice convicts the guilty and acquits the innocent? Will they yield to the call of the United Nations Commission on Human Rights to declare a moratorium on executions? Will they lead public opinion away from the use of the death penalty and put forward truly effective measures to combat violent crime?

Will they abolish the cruel, degrading and inhuman practice of birching - a punishment which is almost non-existent outside of the Caribbean? Will they hold the police accountable? Will they reform the prisons?

Will they restore the rights lost to all individuals to petition the Human Rights Committee and the Inter-American Commission on Human Rights for violations of their rights under the ICCPR and the American Convention on Human Rights? Will they engage in frank and open dialogue with national and international human rights organisations?

These are all legitimate questions for the people of Trinidad and Tobago to ask of their potential leaders. I urge that frank, honest and forthright debate regarding human rights be encouraged and embarked upon by all those in the political process.

And finally, Amnesty International members have vowed to campaign for the rights to be free fear to be a reality worldwide. I hope many of the good people of Trinidad and Tobago will join our campaign for human rights.

Thank-you for your time.