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22 July 1999

Further information on EXTRA 73/99 (AMR 49/08/99, 18 June 1999) and follow-up (AMR 49/10/99, 21 June 1999) - Death Penalty and new concern: imminent execution

TRINIDAD AND TOBAGO Anthony Briggs

Anthony Briggs's motion challenging the constitutionality of executing him was dismissed by the Judicial Committee of the Privy Council (JCPC - Trinidad and Tobago's highest appeal court, located in London) on 22 July. The ruling means that he is no longer protected by a stay of execution, and he is therefore at risk of imminent execution.

The JCPC ruled that it would not be unconstitutional to execute him, even though the Inter-American Court on Human Rights has ordered the government of Trinidad and Tobago to preserve his life "until such time as the Court...issues a decision on the matter."

The JCPC has said it will provide full reasons for its decision at a later date.

FURTHER RECOMMENDED ACTION: Please send telegrams/faxes/express/airmail letters in English or your own language:

- urging the government not to issue a warrant for the execution of Anthony Briggs;
- reminding the government that despite the ruling of the Judicial Committee of the Privy Council, the government is obliged under international law to comply with the order of the Inter-American Court on Human Rights to preserve his life;
- pointing out that taking steps to execute Anthony Briggs while the order is still in place would violate the government's international obligations to the Inter-American Court on Human Rights and seriously undermine the inter-American system for human rights protection which has been built up over the past 50 years;
- urging the government to implement the recommendation of the Inter-American Commission on Human Rights to provide effective remedy for violations of his rights guaranteed by the American Convention on Human Rights, including commutation of his sentence;
- reminding the government that despite its withdrawal from the American Convention on Human Rights and its withdrawal of the jurisdiction of the Inter-American Court on Human Rights on 26 May 1999, it is obliged to provide effective remedy for violations of the American Convention on Human Rights that occurred before that date, and is still obliged to comply with the Inter-American Commission on Human Rights and the Inter-American Court on Human Rights in cases filed with those bodies before 26 May 1999;

- pointing out that the death penalty is the ultimate cruel, inhuman and degrading punishment, which violates the right to life and has a brutalizing effect on all involved in its application.

APPEALS TO:

Prime Minister

The Rt. Hon. Basdeo Panday

Office of the Prime Minister

Level 19, Central Bank Tower, Eric Williams Plaza, Independence Square

Port of Spain, Trinidad and Tobago

Telegrams: Prime Minister, Port of Spain, Trinidad/Tobago

Faxes: + 1 868 627 3444

Salutation: Dear Prime Minister

Attorney General

The Hon. Ramesh Lawrence Maharaj, Ministry of the Attorney General,

Winsure Building, 24-28 Richmond Street, Port of Spain, Trinidad and Tobago

Telegrams: Attorney General, Port of Spain, Trinidad/Tobago

Faxes: + 1 868 625 0470 / 6530

Salutation: Dear Attorney General

COPIES TO:

Minister of National Security

Senator The Hon. Joseph Theodore, Ministry of National Security

18 Knox Street, Port of Spain, Trinidad and Tobago

Faxes: + 1 868 627 8044

The President

The Hon. Arthur Napoleon Robinson

President of the Republic

The President's House, Circular Road, St. Ann's, Port of Spain

Trinidad and Tobago

Faxes: + 1 868 625 7950

and to diplomatic representatives of Trinidad and Tobago accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 22 August 1999.