

Background- Trinidad and Tobago¹

Trinidad and Tobago is a prosperous Caribbean democracy that became the first country to withdraw from the Inter-American Court of Human Rights after the Court rejected the country's punitive response to drug trafficking, which includes corporal punishment and the death penalty.

Trinidad and Tobago emerged from centuries of colonialism as a democratic, multicultural country. After being visited by Christopher Columbus in 1498, the larger island of Trinidad and the smaller island of Tobago were successively colonized by the Spanish, Dutch, French, and British. Colonists established sugar plantations worked by African slaves and South Asian indentured servants, resulting in a diverse population almost evenly split between Blacks, South Asians, and multiracial people and between Protestants, Catholics, and Hindus. Beginning in the early 1900s, Trinidad and Tobago's citizens employed strikes, riots, and internal reform to obtain increasing democracy, including elections in 1925, universal suffrage in 1945, and independence in 1962.

Since independence, Trinidad and Tobago has overcome periodic economic downturns and unrest to maintain a wealthy, democratic society. From 1956 to 1986, the People's National Movement (PNM) dominated elections, thanks in part to an oil boom that funded industrialization and social welfare programs. However, in the 1970s, falling oil price and corruption led to repeated strikes, Black Power riots, and a 1970 army mutiny that fell apart in a few days. The government maintained control by declaring repeated states of emergency but, in 1986, voters rejected the PNM in favor of the National Alliance for Reconstruction (NAR). NAR implemented austerity measures that grew the economy but increased unemployment and generated public hostility. In 1990, this hostility boiled over when members of the country's small Muslim minority took the prime minister and other officials hostage for 6 days. Voter confidence was shaken and, in 1991, voters returned power to the PNM, then elected a series of coalition governments that appointed the country's first Indo-Trinidadian and female prime ministers. PNM and its successors largely maintained NAR's economic and social policies, continuing to build an economy based on oil, natural gas, and tourism.

Despite its successes, however, Trinidad and Tobago has persistently struggled with drug trafficking, which the government has combatted with capital punishment, corporal punishment, and large scale arrests. Trinidad and Tobago is located on major cocaine trafficking routes and residents of poor areas have formed gangs that traffic cocaine and commit violent crimes, including murders of prosecutors and other government officials who interfere with their activities. Trinidad and Tobago has responded with harsh punishments, including the death penalty and beatings with the cat-o-nine tails and tamarind switches.² In 2011, Trinidad and Tobago passed the Anti-Gang Act, allowing the police to hold suspects for up to 120 days without bail or charge. Later that same year, rising crime and a criminal plot to assassinate the prime minister led the government to declare a months' long state of emergency, including

¹ Caitlin Hunter, *Author, Foreign and International Law Librarian at Loyola Law School*; Erin Gonzalez, *Chief IACHR Editor*; Cesare Romano, *Faculty Advisor*

² *Caesar v. Trinidad & Tobago, Merits, Reparation, and Costs, Judgment, Inter-Am. Ct.H.R. (ser. C) No. 132 (March 11, 2005)*, <https://iachr.ils.edu/cases/caesar-v-trinidad-and-tobago>; *Hilaire v. Trinidad and Tobago, Preliminary Objections, Judgment, Inter-Am. Ct. H.R. (ser. C) No. 80 (Sept. 1, 2001)*, <https://iachr.ils.edu/cases/hilaire-constantine-and-benjamin-et-al-v-trinidad-and-tobago>.

curfews and mass arrests.³ As a result of these policies, the government has faced multiple complaints to the Court and lost multiple lawsuits brought by its citizens for wrongful arrest and imprisonment.

Trinidad and Tobago's crackdown on crime has also spurred unofficial police violence and corruption and overwhelmed the prison and judicial system.⁴ Police have been accused of shooting, beating, and robbing suspects and even of setting a suspect on fire. Additionally, police, prison guards, and immigration officers have themselves been implicated in accepting bribes to facilitate drug and gun smuggling. Because of the large volume of arrests, prisons in Trinidad and Tobago are overcrowded and in poor condition. Making matters worse, the judicial system can take six to ten years to bring suspects to trial and, as a result, pretrial detainees constitute 50% of the prison population.

Nevertheless, Trinidad and Tobago's harsh approach to crime has strong support among many of its citizens and ultimately led the country to leave the Inter-American Court of Human Rights in 1998. Trinidadian officials objected to the Court's interference in death penalty cases and accused defense attorneys of using appeals to the Court to run out a domestic time limit that commutes all death penalty cases to life in prison after the prisoner spends five years on death row. On May 28, 1998, Trinidad and Tobago notified the Court that it was withdrawing from its jurisdiction, effective one year later. (Trinidad and Tobago remains subject to the Court's jurisdiction for its actions between ratifying the Convention in 1991 and withdrawing in 1999). Within three months of the effective date of the withdrawal, Trinidad and Tobago hung ten people. Since then, however, Trinidad and Tobago has executed no one and Cornell Law School's Death Penalty Worldwide project considers it de facto abolitionist.⁵

More information

Additional background was provided by the sources below.

For historical background, see the [Encyclopedia Britannica](#), the [BBC Country Profile](#), and the archive of [New York Times articles on Trinidad and Tobago](#).

For information on the state history, people, government, economy, geography, communications, transportation, and military, see [Central Intelligence Agency World Factbook](#).

For information about human rights, including all relevant treaties and legal documents, see [Office of the High Commissioner for Human Rights](#).

³ Nick Davis, *How Trinidad is Tackling Its Crime Crisis*, BBC (December 3, 2011) <http://www.bbc.com/news/world-latin-america-15964364>.

⁴ *Country Reports on Human Rights Practices for 2015: Trinidad and Tobago*, U.S. DEPARTMENT OF STATE (2015), <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2015&dliid=253045>.

⁵ *Trinidad and Tobago*, CORNELL CENTER ON THE DEATH PENALTY WORLDWIDE (2013), <http://www.deathpenaltyworldwide.org/country-search-post.cfm?country=Trinidad+and+Tobago>.