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Institution: Inter-American Commission on Human Rights
File Number(s): Petition 703-05
Title/Style of Cause: Mark Teeluck v. Trinidad and Tobago
Doc. Type: Decision on Precautionary Measures
Dated: 21 June 2005
Citation: Teeluck v. Trinidad and Tobago, Petition 703-05, Inter-Am. C.H.R., OEA/Ser.L/V/II.124, doc. 5, Ch. III, para. 37 (2005)

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37. On June 21, 2005, the Commission granted precautionary measures in favor of Mr. Mark Teeluck in the context of petition P703-05, which alleged violations of Mr. Teeluck's rights under Articles I, II, XVII, XVIII and XXVI of the American Declaration of the Rights and Duties of Man. The petitioners claimed that Mr. Teeluck was sentenced to death by the High Court of Trinidad and Tobago on July 14, 2000 and they challenged his punishment before the Commission based upon allegations that Mr. Teeluck was sentenced to death under a mandatory sentencing law, that the savings clause under section 6 of the Trinidad and Tobago's Constitution was inconsistent with fundamental protections under the American Declaration, and that the execution of Mr. Teeluck's death sentence through hanging and his pre-trial and post-conviction treatment and conditions of detention contravened Mr. Teeluck's right to humane treatment. The Petitioners also indicated that Mr. Teeluck had exhausted domestic remedies available to him through appeal proceedings and that the reading of his warrant of execution was imminent. In view of these circumstances, the Commission asked the Republic of Trinidad and Tobago to take the urgent measures necessary to preserve Mr. Teeluck's life pending the Commission's investigations into the allegations in his petition, on the basis that Mr. Teeluck's execution would render any eventual decision by the Commission ineffective and cause him irreparable harm. The State did not respond to the Commission's request for precautionary Measures. The Commission subsequently convened a hearing on Mr. Teeluck's petition and request for precautionary measures on October 18, 2005 during its 123rd Regular Period of Sessions.