



LAW ASSOCIATION OF TRINIDAD AND TOBAGO

MEDIA RELEASE

Statement on the continued State of Emergency and the Emergency Powers (Prohibition of Public Protests and Demonstrations) Order 2026

The Law Association of Trinidad and Tobago (LATT) issues this statement in relation to the State of Emergency, proclaimed on 2 March 2026 and the Emergency Powers (Prohibition of Public Protests and Demonstrations) Order 2026 ("the Order"). The LATT acknowledges the serious security challenges that gave rise to the current State of Emergency and recognises the legitimate authority of the State to take proportionate measures to protect public safety. We note that section 4 of the Constitution guarantees to every citizen a panoply of rights including freedom of thought and expression, freedom of association and assembly, freedom of movement, and the right to express political views. Section 7 of the Constitution permits Emergency Regulations to have effect even where inconsistent with these rights, but only in so far as they are "*reasonably justifiable for the purpose of dealing with the situation that exists during that period.*"

Emergency powers are granted for exceptional and temporary circumstances and do not confer an unlimited licence to restrict fundamental rights. Any measure that limits those rights must be sufficiently important to justify the limitation, rationally connected to the objective of the emergency, and must go no further than is necessary to accomplish that objective. Emergency powers must not become a permanent framework for governance or a substitute for sustained reform to address the root causes of criminality.

The constitutional freedoms of expression, association and political participation, of which peaceful protest is a central manifestation, are cornerstones of democratic governance and the principal mechanisms by which citizens communicate grievances to those in authority. The Order prohibits protests within a 500-metre radius of 15 specified locations, encompassing in effect almost every seat of governmental and judicial power in Trinidad and Tobago. The question arises whether this restriction is rationally connected to the stated objective of the State of Emergency. It is further significant that placing protesters 500 metres from the very institutions they seek to address stifles the effectiveness of protest itself. A restriction of such breadth warrants careful scrutiny as to whether it constitutes a proportionate response to the declared emergency, or whether it impermissibly extinguishes the right to peaceful public protest, assembly, movement and expression. The LATT notes that public assemblies and processions have historically been regulated under the Summary Offences Act, including as to the requirements for holding such meetings and the powers of the Commissioner of Police. The

present concerns, however, go not to the regulation of protest per se, but to the scope, necessity and proportionality of the restrictions imposed by the Emergency Powers Order, and whether those restrictions are reasonably justifiable in accordance with the Constitution.

The Association makes no comment on the merits of any specific criminal or civil proceedings. However, it is noted that reports have emerged of arrests at locations which may fall outside the geographic scope of the Order. If enforcement action is taken without adequate public notice of what conduct is prohibited, public confidence in the administration of justice can be undermined. The Association notes that the exercise of emergency powers in this manner can have a chilling effect on constitutional rights and freedom of expression. When citizens cannot confidently determine whether a peaceful protest will expose them to arrest, many will choose silence over participation — a suppression of civic voice that is antithetical to the rule of law.

The Association, therefore, encourages continued public dialogue on the proper balance between public safety, national security and the preservation of constitutional freedoms. Democratic societies are strongest when difficult questions concerning the scope and exercise of government power are examined openly, respectfully and in accordance with constitutional principles.

The LATT calls upon the relevant authorities to review the Order to ensure that any restrictions on the freedoms of assembly and expression as exercised through public protest are narrowly tailored, operationally necessary, clearly defined, and consistent with the constitutional requirement of reasonable justifiability. The Association calls upon the Commissioner of Police to provide clear public guidance on the precise geographic boundaries within which the Order operates, and upon the Attorney General, as titular head of the Bar, to address the legal basis and necessity for each of the 15 designated exclusion zones. The LATT further calls upon the Government to provide the public with a measurable, evidence-based justification for the continued extension of the State of Emergency, which may be placed in the public domain, with proper regard to national security considerations. This should include crime statistics demonstrating the specific impact of emergency powers on the criminal conditions that gave rise to the original Proclamation, disaggregated to show whether the underlying drivers of violence are being durably addressed and not merely suppressed for the duration of the emergency. Good governance requires that any extension thereof be justified by evidence, and that the balance between public safety and constitutional rights be actively and continuously reviewed.

The Association urges that the balance between public safety and the constitutional rights of the citizens of Trinidad and Tobago be actively, transparently and consistently maintained. The LATT remains committed to engaging constructively with all branches of the State on matters affecting the rule of law and the constitutional rights of the citizens of Trinidad and Tobago and stands ready to provide such assistance and guidance as may be required.

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25th June 2026