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Jamaica: Protecting the right to defend human rights

The Government of Jamaica should publicly reiterate its commitment to protecting and promoting the legitimate work of human rights defenders in Jamaica, said Amnesty International today, following a call by a member of Jamaica's Police Federation that international and national human rights organisations should be charged with sedition, and recent threats to human rights defenders.

In a letter published on 25 November 2004 in the Jamaica Observer, Sergeant David White, the Police Federation's Public Relations Officer, accused international and domestic human rights groups of harassing the state. He alleged that they "*spread lies and deliberately malign and slander the police force and the government.*" He also stated that their activities amount to "illegal interference", but did not specify which laws had been violated.

"Not only do such comments constitute an unacceptable attack on freedom of expression - a cornerstone of human rights protection - but they may also encourage and even incite acts of violence or intimidation against human rights defenders," said Amnesty International.

The background to such comments are recent threats and intimidation against local human rights organisation JFLAG, the Jamaican Forum of Lesbians, All-sexuals and Gays. The organisation has received several death threats in recent weeks.

Sergeant White also stated in his letter that "*the Government and the police cannot be held responsible for.... the cultural responses of the population towards gay.*"

"It is deeply concerning that these comments could be interpreted as condoning acts of violence or threats against gay men and women, and may constitute a veiled threat by the police to withhold protection to the gay community," said Amnesty International.

The organisation calls upon the Jamaican police to explicitly reaffirm their commitment to provide equal protection to all sections of society regardless of sexual orientation or any other factor.

"Amnesty International insists that the Jamaican authorities must ensure that those who defend human rights can continue their legitimate work without fear, by explicitly stating their support for such activities, guaranteeing the required protection and by ensuring that those who threaten human rights defenders are held accountable."

Background Information

Human rights defenders are all those men and women who act on their own or collectively to contribute to

the effective elimination of all violations of the fundamental rights and freedoms of peoples and individuals.

The comments of Sergeant White follow the publication last week of a report by Human Rights Watch, entitled 'Hated to death: Homophobia, Violence and Jamaica's HIV/AIDS epidemic.

The United Nations Declaration on the Right and Responsibility Of Individuals, Groups and Organs of Society to Promote And Protect Universally Recognized Human Rights and Fundamental Freedoms, commonly known as the UN Declaration on Human Rights Defenders, adopted by the UN General Assembly on 9 December 1998, sets out the rights of human rights defenders, identifying specific freedoms and activities which are fundamental to their work, including the right to know, seek, obtain and receive information about human rights and fundamental freedoms, the right to participate in peaceful activities against violations of human rights and the right to criticize and complain about the non-compliance of governments with human rights standards, and to make proposals for improvement. The Declaration requires that states address these rights and freedoms to ensure human rights defenders may carry out their work freely, without interference or fear of threats, retaliation or discrimination. Legally, under international human rights treaties, governments are accountable for attacks, harassment, including the misuse of the judicial system by-law enforcement officials and other agents of the state with the objective of intimidating and silencing human rights defenders.

The Human Rights Watch report, published 16 November 2004, concluded that widespread violence and discrimination against gay men and people living with HIV/AIDS in Jamaica is undermining government measures to combat the country's fast-growing epidemic. It included interviews with over seventy-five people living with or at high risk of HIV/AIDS, including sex workers, men who have sex with men (MSM), women who have sex with women, and people who had been incarcerated in police lockups and prison, in five parishes in Jamaica, and documented at least 34 allegations of police ill-treatment and abuse. The report called for the Jamaican Government, and international and regional donors, to take systematic action, including legal and law enforcement reform, and training of police and health care personnel on HIV/AIDS, sexuality, and sexual orientation.

Public Document

For more information please call Amnesty International's press office in London, UK, on +44 20 7413 5566
Amnesty International, 1 Easton St., London WC1X 0DW. web: <http://www.amnesty.org>

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