

AMNESTY INTERNATIONAL PRESS RELEASE

AI Index: AMR 38/019/2002 (Public)
News Service No: 165
18 September 2002

Jamaica: Keep state killing out of politics. The death penalty should not be an election issue.

Amnesty International today called upon the government of Jamaica to keep the death penalty out of politics in the upcoming elections.

"The anger felt by Jamaican citizens at the appalling levels of violent crime suffered by their society is understandable. However, the government must not pander to this anger by promising the resumption of executions in its election manifesto," Amnesty International said. "The return of hanging to Jamaica would be a retrograde step and do nothing to lessen the prevalence of violent crime."

In its manifesto released yesterday, the ruling People's National Party made a commitment to change Jamaica's constitution in an attempt to nullify previous court rulings that have prevented executions. In what appears to be an alarming regional trend, the governments of Belize and Barbados are also currently attempting to pass similar laws.

"The government of Jamaica should turn away from offering to kill for votes, and show human rights leadership by explaining to the Jamaican public why the country cannot return to the use of hanging," Amnesty International added.

"Electoral promises should be about improving the lives and protecting the rights of Jamaican citizens, rather than destroying human lives and undermining the most fundamental human rights," the organization said.

Concerns about a possible return to the use of capital punishment were heightened yesterday by an attack by the prime minister of Jamaica on the Judicial Committee of the Privy Council (JCPC) -- the final court of appeal for Jamaica. He stated: "In one decision after another, the Privy Council has simply been making it impossible for the law [to execute] to be carried out. Its actions are undermining the very foundation of our legal system."

The JCPC has found that the constitutional rights of Jamaican prisoners have been violated in numerous cases. However, the accusation that the JCPC will not allow executions to be carried out is unfounded, as illustrated by the fact that it did allow 10 executions in Trinidad and Tobago to proceed in 1999 and two in the Bahamas in 2000.

"Rather than attacking the Judicial Committee of the Privy Council for not allowing executions to proceed, the government of Jamaica should ensure that the constitutional rights of those facing death at the hands of the State are protected," Amnesty International added.

Amnesty International calls upon all those contesting the forthcoming election to put human rights -- first and foremost among them the right to life -- at the centre of their election promises.

Background

The current government of the People's National Party is promising to amend the country's constitution, if re-elected, to nullify the 1993 JCPC decision (case of Pratt and Morgan) that decreed that prisoners who have been under sentence of death for five years or longer should have their sentence commuted.

The proposal also seeks to place limits on the time allowed for intergovernmental human rights bodies, such as the United Nations Human Rights Committee, to examine complaints from condemned prisoners that their rights enshrined in international law have been violated. The proposal appears to allow for the execution of prisoners while their complaints are still before international human rights bodies if the time limits are exceeded. Such an execution would be in violation of Jamaica's obligations under international human rights laws and standards.

The last execution in Jamaica took place in 1988.

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>

For latest human rights news view <http://news.amnesty.org>