

EXTERNAL

AI Index: AMR 38/04/97

23 May 1997

Further information on EXTRA 70/97 (AMR 38/03/97, 23 May 1997) - Death Penalty

JAMAICA Samuel LINDSAY

Henry MCKOY

Lansford JAMES

Henry McKoy and Lansford James are scheduled to be hanged in Jamaica on 27 May and 29 May 1997 respectively in what would be the first executions in Jamaica since 1988. Only the Governor General has the authority to commute their sentences. Samuel Lindsay has been granted a stay of execution.

According to information received by Amnesty International, Samuel Lindsay and Henry McKoy were sentenced to death on 15 December 1996 for a double murder, while Lansford James was sentenced to death for murder on 17 April 1996. All three men were notified in March 1997 that their appeals had been dismissed, and they were moved to the condemned cell on 15 May.

The Jamaican Council for Human Rights (JCHR) has informed the authorities that all three men will seek review of their cases by the Judicial Committee of the Privy Council (JCPC), in London, which is Jamaica's highest court. Requests to the Governor General for stays of execution have been made on behalf of Henry McKoy and Lansford James.

Amnesty International opposes the death penalty in all cases on the grounds that it is a violation of the right to life and the right not to be subjected to cruel, inhuman or degrading treatment or punishment as proclaimed in Articles 6 and 7 of the International Covenant on Civil and Political Rights and Articles 4 and 5 of the American Convention on Human Rights to which Jamaica is a state party and bound to comply.

Some governments in the English-speaking Caribbean, including the Jamaican authorities, have argued that imposition of the death penalty will deter the high level of crime and violence (see original EXTRA). However, there is no reliable evidence that the death penalty deters crime more effectively than other punishments. Indeed, a study conducted for the United Nations Committee on Crime Prevention and Control in 1988 (updated in 1996) concluded, after reviewing extensive research findings on the relation between the death penalty and homicide rates, that the evidence "gives no positive support to the deterrent hypothesis". Amnesty International believe that the death penalty does not serve the interests of societies which impose it, but that it brutalizes all those involved in the process.

FURTHER RECOMMENDED ACTION: Please phone or send faxes or telegrams, in English or in your own language, including as many of the following points as possible:

- welcoming Samuel Lindsay's stay of execution, but expressing deep concern that Henry McKoy and Lansford James are scheduled for execution on 27 May and 29 May 1997 respectively;
- urging the Governor General not to be responsible for taking the retrograde step of resuming the use of the death penalty in Jamaica after nine years without executions, and urging that these and all other pending death sentences be commuted;
- urging that the Governor General grant the men's requests for stays pending their petitions to the JCPC;
- expressing sympathy for the victims of violent crime and their relatives;

- noting that detailed research in many countries has produced no evidence that the death penalty deters crime more effectively than other punishments and pointing to the worldwide trend towards the abolition of the death penalty;
- pointing out that the death penalty is brutalizing to all who are involved in the process, it denies the widely accepted principle of rehabilitating the offender, and it does not necessarily alleviate the suffering caused to the victims of crime.

APPEALS TO:

Please note that the telephone area code for Jamaica 809 has been changed. The new telephone area code for Jamaica is 876. However, if there are difficulties using the new code try the old area code.

The Very Rev. Canon Weelville Gordon
Custos of Kingston
Acting Governor General

* Note: The above is currently acting Governor General while Sir Howard Cooke is abroad until 28 May 1997.

Governor General

His Excellency The Most Honourable
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and to diplomatic representatives of Jamaica accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY.