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Jamaica: Amnesty International stands by its findings on West Kingston

In a letter sent today to A. J. Nicholson, Attorney General of Jamaica, Amnesty International welcomed the fact that the Government of Jamaica had responded to Amnesty International's report on the West Kingston Commission of Inquiry: "Until their Voices are Heard". However, the organization strongly refuted the Attorney General's criticism that the report was "biased".

The Commission of Inquiry examined the circumstances surrounding the deaths of 27 people and injury of around 60 between July 7 and 10, 2003. Amnesty International's report assessed the extent to which the State's requirement under international law to fully investigate these deaths had been complied with.

"Amnesty International welcomes this opportunity to engage in open dialogue with the Government of Jamaica over this vital issue of human rights protection," the organisation said.

"However the Jamaican authorities appear to have adopted a narrow, politicised approach to the report's findings -- illustrated by the Attorney General's claims that the report will give "succour and comfort" to criminals - rather than viewing these in the light of international human rights laws and standards" Amnesty International added. "Amnesty International is disturbed that the Government should seek to equate the legitimate activities of a human rights organisation with condoning human rights abuses by those who break Jamaica's domestic criminal provisions."

Amnesty International refuted arguments made by the Attorney General on several of the report's findings. Amnesty International stressed that its aim was not to attack the professionalism of any member of the Commission or of Commission Counsel, but to highlight restrictions in investigation and procedure which controlled the ability of the Commission to operate effectively. It stood by its statement -- criticised by the Attorney General as "offensive" -- that there was a perception among some sectors of society that the outcome of the inquiry was "predetermined", and countered the Attorney General's argument that the reluctance of witnesses to testify could only mean that they had "no credible story" to tell.

"The investigation process failed to ensure that all voices were heard -- including by failing to provide adequate witness protection against the fear of reprisals."

Contrary to the Government's argument that Amnesty International "does not appear to be in the least bit concerned about the death of the members of the security forces", AI emphasised that Corporal Mark Henry and Lance Corporal Kevin Lawrence received the same prominence in its report as every victim

of the violence addressed by the Commission. Amnesty International has consistently expressed appreciation for the difficult circumstances in which the Jamaican police operate.

"In the light of the enormity of the loss of 27 lives in West Kingston, Amnesty International urges the Government to ensure that nothing gets in the way of discovering why these tragic events happened and ensuring they are not repeated. Amnesty International requests the Government to reconsider holding a new independent inquiry, in the light of the organisation's detailed findings regarding flaws in the Commission's procedure" Amnesty International concluded.

For a full copy of Amnesty International report: "Jamaica: Until their voices are heard", please see: <http://web.amnesty.org/library/index/engamr380102003>

Public Document

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