

EXTRA 194/96

Death Penalty

16 December 1996

JAMAICAFear of imminent execution

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According to information received by Amnesty International, several prisoners on death row in Jamaica have been moved to the condemned cell and may be executed in the immediate future. Amnesty International has been unable to ascertain the names of the prisoners concerned. If carried out, these executions will be the first in Jamaica since 1988.

Amnesty International opposes the death penalty unconditionally as a violation of the right to life and the right not to be subjected to cruel, inhuman or degrading treatment as proclaimed in Article 5 of the Universal Declaration of Human Rights.

**BACKGROUND INFORMATION**

The last two prisoners to be executed in Jamaica were Stanford Dinnal and Nathan Foster, on 18 February 1988. The method of execution is death by hanging. In Jamaica, only the Governor General has the authority to grant commutations.

The expected resumption of hanging in Jamaica is happening in the context of a growing tendency of Caribbean governments to speed up executions, arguing that it will deter the high level of crime and violence. According to press reports, violent crime has risen steadily in Jamaica. According to a police report, since January to 11 December 1996, 979 murders and 1,425 shootings have been reported. There were 780 murders in 1995.

The Minister of National Security and Justice, K. D. Knight, announced in the Jamaican Parliament on 29 October 1996 that a new crime-fighting plan would be implemented due to the high level of crime and violence in the country. He also said that a limit of nine months will be placed on appeals on behalf of people on death row to be made to the Judicial Committee of the Privy Council (JCPC) and the United Nations. However, if the JCPC and the UN fail to make any decision within the time limit the executions will take place. The Minister of National Security and Justice, K. D. Knight, also announced before the Parliament on 29 October 1996 that "These horrendous crimes [by death row criminals] have added significantly to the fear of crime currently permeating every stratum of society".

In a four-day meeting in St. Kitts, in October 1996, Attorney Generals and Ministers responsible for Legal Affairs of the Caribbean Community countries (CARICOM), discussed the total abolition of appeals to the JCPC. Three countries, Barbados, Guyana and Jamaica, have agreed to the abolition of appeals to the JCPC and the establishment of a Caribbean Court of Criminal Appeals.

**RECOMMENDED ACTION: Please make urgent appeals by fax, telegram, express or airmail letters in English or in your own language, including as many of the following points as possible:**

- asking for confirmation or clarification of reports that that some prisoners have been moved to the condemned cell, signalling the imminent resumption of executions in Jamaica;
- urging that these and all other pending death sentences be commuted;

- expressing deep concern at the intention to resume the use of the death penalty in Jamaica after nearly 9 years without executions, and urging the Governor General and the Minister of Legal Affairs and Attorney General not to be responsible for taking such a retrograde step;
- noting that detailed research in many countries has produced no evidence that the death penalty deters crime more effectively than other punishment and pointing to the worldwide trend towards the abolition of the death penalty;
- if your country has abolished the death penalty, refer to any incidents which demonstrates that the death penalty is not a deterrent against violent crime;
- expressing sympathy for the victims of violent crime and their relatives.

**Other points which may be added:**

- the death penalty is brutalizing to all who are involved in the process;
- it denies the widely accepted principle of rehabilitating the offender;
- it does not necessarily alleviate the suffering caused to the victims of crime.

**APPEALS TO:**

Governor General

His Excellency The Most Honourable  
Sir Howard Cooke, ON, GCMC, CD  
Office of the Governor General  
Kings House, Hope Road  
Kingston 6, Jamaica  
**Phone: + 1 809 927 6424 / 6143**  
**Fax: + 1 809 927 4561**  
**Telegrams: Governor-General, Kingston, Jamaica**  
**Salutation: Dear Governor General**

**COPIES TO:**

Prime Minister

The Rt Hon P. J. Patterson, PC, QC, MP,  
Prime Minister  
Office of the Prime Minister  
1 Devon Road  
Kingston 10, Jamaica  
**Phone: + 1 809 929 8880/8881/8882/8883/8884/8885**  
**Fax: + 1 809 929 0005**  
**Telegrams: Prime Minister, Kingston, Jamaica**  
**Salutation: Dear Prime Minister**

Attorney General

The Hon A. J. Nicholson  
Minister of Legal Affairs  
and Attorney General  
Ministry of Legal Affairs  
12 Ocean Boulevard  
Kingston Mall  
Kingston, Jamaica  
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**Salutation: Dear Minister.**

Newspaper

The Gleaner

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and to diplomatic representatives of Jamaica accredited to your country.

**PLEASE SEND APPEALS IMMEDIATELY.** Please check with the International Secretariat, or with your section office, if sending appeals after 13 January 1997.