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### PRESS RELEASE

No. 59/08

#### IACHR ISSUES PRELIMINARY OBSERVATIONS ON VISIT TO JAMAICA

Kingston, Jamaica, December 5, 2008 – The Inter-American Commission on Human Rights (IACHR) issued preliminary observations today regarding its *in loco* visit to observe the human rights situation in Jamaica, which took place December 1-5 at the invitation of the government.

During its visit the Commission focused particular attention on the situation of citizen security in the country (including the operation of the criminal justice system and the conditions of persons deprived of liberty), and on the human rights of women, children, and persons suffering discrimination on the basis of their sexual orientation.

The IACHR observed an alarming level of violence in Jamaica that has affected all sectors of society for many years. The persistence of this widespread violence has had severely negative consequences for the human rights of the Jamaican people. The Commission's preliminary observations conclude that although the government has undertaken certain constructive efforts to address the problem, these remain insufficient. They are hampered by inadequate resources, a failure to sufficiently address the severe shortcomings of the security forces and the judicial process, and the lack of integral, effective policies to ameliorate the social conditions that generate the violence.

The profound social and economic marginalization of large sectors of the Jamaican population not only contributes to sustaining the high levels of violence, but also results in the poorest and most excluded sectors of the population being disproportionately victimized by the overall situation of insecurity. In the same way, the deep inequalities pervading Jamaican society exacerbate the state's failure to adequately protect and guarantee the human rights of women, children and other vulnerable groups. In particular, the IACHR found the violent persecution and fear to which gays and lesbians are subject in Jamaica to be deplorable.

The Commission's preliminary observations identify a number of other human rights issues of particular concern, including severe problems in the administration of

justice, conditions of detention and incarceration, the treatment of the mentally disabled, and freedom of expression. In particular, the Commission urges the government of Jamaica to address immediately the inhuman conditions of detention that the IACHR observed at the lockup facility of the Hunts Bay police station.

The complete text of the Commission's preliminary observations follows. During 2009 the IACHR will prepare a full, final report on its visit, with specific recommendations.

The IACHR delegation to Jamaica included Commissioners Paolo Carozza, Luz Patricia Mejia, Felipe Gonzalez, and Clare Roberts, as well as the IACHR Executive Secretary Santiago Canton and Secretariat staff. The Commission offers its thanks to the government and people of Jamaica for their assistance with the visit. In particular, the Commission wishes to note that the government officials with whom it met provided information with transparency, and were frank and open in recognizing the seriousness of the human rights challenges.

### **PRELIMINARY OBSERVATIONS ON THE COMMISSION'S VISIT TO JAMAICA**

Kingston, Jamaica, December 5, 2008 — The Inter-American Commission on Human Rights (IACHR) concluded today a visit to Jamaica, which took place December 1-5 at the invitation of the government. At this time the Commission offers its preliminary observations on the visit and will prepare a full report to be issued during 2009.

The Commission verified an extremely high level of violence in Jamaica, which has one of the highest murder rates in the world. The historical response of the State has been inadequate, due to the absence of an integral policy to address and prevent violence, the failure to dedicate sufficient resources to the problem, and the absence of an effective response by the police, judiciary and other authorities. This has led to a progressive deterioration of the human rights situation in the country. This critical situation disproportionately affects the poorest sectors of the population, as well as women, children and people who face discrimination on the basis of sexual orientation. The Commission is aware that the roots of many of these problems are found in social and economic conditions, and that they will only be solved over time through the collective efforts of Jamaican society.

The widespread violence affects all sectors of Jamaican society. More specifically, this violence has resulted in over 1,500 deaths over the last year, including both civilians and members of the security forces. Of the total reported deaths, statistics indicate that, since 2004, over 700 people have been killed by police officers. According to these statistics, during 2007 police shot and killed 272 people, and shot and injured another 153 people. As of September 2008, reports indicate that police had shot and killed 158 people since the beginning of the year.

While in Jamaica, the Commission was informed that a number of these deaths took place in circumstances consistent with extrajudicial executions at the hands of police officers. Sources indicated that victims are often young men or boys from the inner cities and that in some instances they are unarmed and pose no threat to police. In addition to the use of lethal force, the Commission was informed

that police use measures of excessive force and arbitrary arrest and detention, further aggravating the situation of fear and victimization of the population.

Within this context of violence, police officers, many of whom serve with dedication and place themselves in harm's way to serve their communities, also become victims. Government sources informed the Commission that over the last 12 years, an average of one police officer has been killed every month, and that in the last four years, 20 police officers have been killed per year.

The Commission received some reports of greater receptivity on the part of the police to dialogue with representatives of civil society about needed reforms. However, the high number of police shootings of civilians and the lack of clarification and accountability in many cases have contributed to a situation of impunity that undermines the credibility of the police and the confidence of the public. This lack of credibility, in turn, seriously limits the capacity of the police to respond to crime, creating a vicious cycle that must be broken if progress is to be made in the restoration of peace and order.

The main victims of violent crime in Jamaica are people living in poor, overcrowded inner-city areas and affected by high rates of unemployment and lack of access to education, health and housing. More than a third of the population of Kingston lives in these communities, which have suffered many years of State neglect. This failure of the State has been accompanied by the proliferation of armed gangs that exercise social control through ruthless violence. High level government officials reported to the Commission that in some parts of the island these gangs have close ties to the political parties of Jamaica.

#### *Administration of justice*

There is broad consensus in Jamaica on the urgent need to reform the administration of justice, which has proven ineffective in responding to the needs of the people, and which contributes to the perpetuation of violence by failing to hold perpetrators accountable. While in Jamaica, the Commission heard about high levels of impunity for violent crime and, in particular, for police shootings in circumstances that have not been clarified. The Commission also heard repeatedly the cry for justice. Furthermore, the State has failed to provide basic due process to people caught up in the criminal justice system.

The Commission received consistent reports that the police and judiciary frequently treat persons from socioeconomically disadvantaged sectors of society with discrimination and disrespect. Sources reported on specific initiatives of both the state sector and civil society aimed at improving this situation, but it remains a severe problem. Justice is administered with one standard for the rich and another for the poor.

In this connection, persistent levels of deadly violence and impunity, including the lack of accountability for abuses of the police, have created an environment of fear and intimidation amongst all sectors of the population which causes individuals to refrain from pursuing a legal remedy before the courts. This fear and the lack of confidence, in turn, have been identified by police and judicial authorities as key challenges in obtaining witness testimony for criminal trials.

The information gathered by the Commission indicates that most of the

institutions that participate in the administration of justice lack the necessary resources to perform their work, and that the design of the system and procedures applied require major reforms. The Commission was able to verify how problems in the different stages of criminal investigations form a chain of causality, with deficiencies in one stage creating deficiencies in later stages.

Looking at the first steps in a murder investigation, for example, the Commission was informed by State sources that the police often fail to collect information necessary for the Pathology Unit of the Ministry of National Security to carry out an adequate forensic examination. The Commission confirmed that the lab is understaffed and underfunded. While the recommended average number of autopsies per pathologist is 250 to 300 per year, the Commission learned that pathologists in this lab each conduct approximately 800 per year. In these circumstances, the reports are incomplete and delayed, and therefore less useful as proof in the investigation and subsequent proceedings. The Commission has been informed that there is a new public morgue currently under construction; its completion is urgently required.

The National Forensic Laboratory also plays an important role in criminal investigations, and the Commission was able to observe that it too lacks the resources necessary to produce full and thorough analyses and reports in all cases. While the Commission was able to observe updated ballistics equipment, it was also able to observe the lack of sufficient human resources. The Commission received information that a significant number of cases remain in a backlog due to the insufficient resources of the office.

There are serious limitations on access to competent representation for people arrested or brought before the courts. The Legal Aid Act that came into force in 2000 was a positive step forward. However, in many instances, criminal defendants cannot afford legal representation and legal aid is not always available. Moreover, for those who are able to obtain such aid, there are not sufficient standards or supervision in place to ensure uniform quality of representation. The Commission also received information to the effect that certain charges are excluded from the coverage of legal aid, and has yet to receive information about how indigent persons under such charges obtain representation. Once again, people with limited economic resources are those most affected by this problem.

The Commission was informed of severe deficiencies in the criminal justice process, ranging from the inability to assure witness protection to extended delays in criminal cases. Persons who have been arrested and detained may have to wait days, weeks or even months before they are presented before a judicial officer. Various sources indicated that delays in investigation and in reaching a decision as to charging and prosecution are a contributing factor in the failure to resolve these cases. The Commission was informed that the Director of Public Prosecutions and the Coroner's Court both have a backlog of cases pending decision, some dating back to 2000.

Users of the justice system reported consistently that access to a remedy is neither simple nor prompt. While government authorities indicated that additional judges had been hired, a number of judicial authorities reported that the demand exceeds their capacity. Just with respect to the mechanics of the process, lawyers reported that it may take a year to produce the transcript from the court of first instance that is necessary to present a case before the Court of Appeals. The court

system in Jamaica suffers from serious deficiencies in specialized training and access to information. The Commission observed that some judges do not have current copies of the legislation in force that they must apply, and that some don't have access to computers or the internet. The Commission was informed of an instance in which legislation that was changed in 2004 was nonetheless applied until 2005 because judges lacked access to the updated law.

Impunity in cases of lethal use of force by police is of special concern to the Commission. According to the information received by the Commission, only one police officer has been convicted in recent years for an extrajudicial killing. Only a minimal percentage of police officers are charged in cases of police killings, and in the cases of those who are tried the process is fraught with obstacles, and usually ends in acquittal. Various sources indicated that the Bureau of Special Investigations lacks the resources to investigate claims of unlawful killings and abuse by police, is not proactive, and that its officers remain part of the police force generating a perception that the Bureau is not sufficiently independent. The government itself recognizes that the Police Public Complaints Authority does not engender public confidence. Authorities indicated that the Parliament is deliberating on the creation of a new Independent Commission of Investigation to investigate killings at the hands of police. The Commission emphasizes that it is crucial that any investigative body of this nature be invested with the independence and autonomy, including resources, necessary to discharge its mandate.

Both government and civil society recognize the urgent need to implement a comprehensive policy to address the serious deficiencies in the administration of justice. In this respect, the Commission wishes to emphasize the importance of the work done by the Jamaican Justice System Reform Task Force and the urgent need to implement key recommendations contained in its Preliminary Report, released in May 2007.

In addition, the Commission has received information about several bills pending in Parliament to address these challenges, and highlights the importance of carrying out the process of reform with transparency, consultation with civil society, and compliance with international standards. In this regard, even though the government indicated that these bills are public documents, civil society representatives expressed having had some difficulty in being able to obtain them. The Commission has also received information about initiatives being developed and implemented by the Ministry of Justice to meet the pressing challenges. Certain features of these reform initiatives may be helpful in improving the effectiveness of the justice system, such as the proposed creation of a Special Coroner. Other reform bills, and in particular the proposal to extend the period of detention without bail to 60 days, cause the Commission concern that the serious problems of due process and prolonged arbitrary detention may only be exacerbated.

### *The death penalty*

The Commission is aware that the death penalty has been and remains an important point of consideration and debate in Jamaica. Accordingly, the Commission considers it opportune to clarify how the death penalty is dealt with in the inter-American human rights system.

The Convention subjects the application of the death penalty to specific conditions and restrictions. For example, certain heightened requirements of due

process must be strictly observed and reviewed; the penalty must be limited to the most serious crimes; and considerations relative to the circumstances of the defendant and the crime must be taken into account. The Convention does not allow the death penalty to be reestablished in states that have abolished it, and in this way looks toward a gradual reduction in its application. The application of this penalty is subject to strict scrutiny in all respects.

In this regard, the Inter-American Commission, the Inter-American Court of Human Rights and the Judicial Committee of the Privy Council have all established that the imposition of the death penalty as the mandatory punishment in capital cases is incompatible with regional and constitutional guarantees. As a result of this case law, a number of Caribbean countries including Jamaica have implemented reforms in law or practice to require that judges give consideration to the circumstances of the crime and the defendant. The Commission has also issued case reports establishing that the imposition of the death penalty on persons who were juveniles at the time of the crime in question is incompatible with international standards.

#### *Rights of persons deprived of liberty*

The Inter-American Commission consistently monitors the situation of human rights of persons deprived of liberty. Throughout the hemisphere, the Commission has insisted upon the importance of policies oriented toward the rehabilitation and reincorporation of prisoners in society. In this respect, the Commission has recently approved a document on Principles and Best Practices on the Protection of Persons Deprived of Liberty in the Americas that seeks to orient public policies to guarantee the right of detainees to humane treatment and dignity.

In Jamaica, the delegation visited prisons, police holding cells and other detention facilities. The Commission was able to examine the conditions of St. Catherine Adult Correctional Center and found that positive measures were put in place to ensure an adequate level of hygiene, while the medical center, with five full-time doctors, six seasonal doctors and 40 beds, provides antiretroviral treatment to dozens of inmates with HIV, although some other drugs are not always readily available. Skills training programs are available to a fourth of the prison population, and they are able to train at the prison facilities, which include a bakery, a wood shop and a metal craft shop, among others. Nevertheless, many of the areas of this prison facility were overcrowded, with 1,240 inmates in a prison built for 850, and the delegation saw up to four people in an individual cell.

The problem of overcrowding is even more critical in the police holding cells, where arrested people are locked-up with persons detained on remand in completely inadequate spaces. The delegation visited the holding cells of Spanish Town and Hunts Bay police stations and found that the detainees have to share dark, un-ventilated and dirty cramped cells. Police officers in Spanish Town reported that the mentally-ill detainees were locked-up in the bathroom of the holding section. The delegation was particularly shocked by the inhumane conditions found at Hunts Bay police station, where the detainees, crowded in numbers of up to six persons per cell, live amongst garbage and urine with absolutely no consideration for their dignity. The Commission calls for urgent action to be taken to transfer the persons detained at Hunts Bay to a place that offers adequate standards of detention.

At this time, the Commission specifically recommends that the State comply

with the applicable international human rights standards and take the necessary measures to resolve the problem of overcrowding in prisons and police holding cells. The State must also make efforts to improve the quantity and quality of food so as to ensure adequate nutrition. Additional efforts are needed to allocate more resources to the medical attention of inmates in order to guarantee that they have access to adequate medical, psychiatric and dental care, and to appropriate medication. The Commission welcomes the efforts of the government to put into place rehabilitation programs, and encourages the expansion of such initiatives so that more inmates benefit. Efforts should also be made to expand educational and cultural activities available in prisons, and so that persons deprived of liberty can maintain direct and personal contact through regular visits with members of their family, partners and legal representatives.

### *Rights of women*

During its visit, the Commission has confirmed that some important steps have been taken in Jamaica to protect the right of women to be free from discrimination and violence, including the ratification of the Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women, the adoption of legislative reforms, and the establishment of support services. These efforts, however, have yet to change the lives of the many women who continue to face different forms of discrimination, and those subjected to violence in the home, sexual harassment, rape and incest. Further, the Commission was informed that, while more women participate in the political process, they have yet to hold elected office in greater numbers.

The enactment of the Domestic Violence Act and subsequent amendments, as well as the more recent Spousal Property Act, have brought about key changes in the legal framework applicable to gender-based violence and discrimination. However, other necessary changes, such as reforms to provisions concerning rape and other sexual crimes, remain pending. Organizations working with the rights of women reported that the government has been open to dialogue about their concerns, and has consulted some such organizations in relation to justice reform initiatives, as well as draft legislation brought before Parliament concerning the rights of women.

The State must act to translate its obligations under national and international law into practice. Direct service providers reported that women do not trust the judicial system as a mechanism to prevent or respond to gender-based violence. Sources concurred in indicating that the courts are slow and the processes cumbersome. Various sources indicated that victims of sexual violence, for example, may be subjected to bias or disrespect in all stages of the process.

Both State and civil society representatives reported that the situation of poverty and exclusion found, for example, in many inner city areas has a disproportionate impact on women. These sources reported that the economic situation of women and their families is affected by greater rates of unemployment and lower salaries than men, and that this produces especially serious consequences for the many single mothers, aunts and grandmothers raising children.

### *Rights of children*

Children are especially vulnerable to the widespread violence that affects

Jamaican society. Children are being targeted for kidnappings accompanied by murder and/or rape. Since 2003, a total of 398 children have been killed by violent means either due to gang warfare or attacks, abductions, rape and murder. Another 441 have been injured by guns. A large percentage of people affected by violent crime are people under the age of 18. In particular, many of those reportedly killed by police are adolescent youths.

While some cases of violence against children have been investigated and clarified during the last five years, many remain unsolved, pointing to a failure of the State to apprehend child predators and murderers. For example, of the 71 child-murder cases recorded last year, 41 remain unsolved. This year, of the total 63 cases to date, only 16 have been cleared up.

With respect to the conditions of children in State institutions, the Commission received information that approximately 2,402 children are housed at 57 Children's Homes and Places of Safety supervised by the Jamaican government's Child Development Agency. According to information received by the Commission, the Jamaican government's child-care system suffers from disturbing levels of sexual, physical and mental abuse of children at the hands of caregivers, and urgently requires reforms and additional resources.

The Commission received information that the conditions of detention of juveniles in police holding cells and detention centers fail to comply with international standards. In particular, the Commission found that juveniles are held in overcrowded centers and are mixed with adults. The Commission also received information on corporal punishment and other forms of degrading treatment applied to them. The duration of the punishment established in certain cases is also of particular concern to the Commission, as are the reports on lack of legal counsel. The IACHR emphasizes that international standards provide that deprivation of liberty in the case of children may only be applied as an exceptional measure, and that there is accordingly a need to implement alternative mechanisms to imprisonment.

#### *Discrimination based on sexual orientation*

The Commission strongly condemns the high level of homophobia that prevails throughout Jamaican society. This homophobia has resulted in violent killings of persons thought to be gay, lesbian, bisexual or transsexual, as well as stabbings, mob attacks, arbitrary detention and police harassment. The resulting fear in turn makes it difficult for people within this group to access certain basic services, for example, medical services that might reveal their sexual orientation. Defenders of the rights of gays, lesbians, bisexuals and transsexuals have been murdered, beaten and threatened, and the police have been criticized for failing in many instances to prevent or respond to reports of such violence. The State must take measures to ensure that people within this group can associate freely, and exercise their other basic rights without fear of attack.

During its visit, the Commission received reports on four murders in circumstances suggesting homophobia over a period of a year and a half. One such murder was reportedly a consequence of the firebombing of the house of a person thought to be homosexual, and another man perceived to be homosexual was chopped to death by machete. The IACHR reminds the government and the people of Jamaica that the right of all persons to be free from discrimination is guaranteed



by international human rights law, specifically the American Convention on Human Rights. The IACHR urges Jamaica to take urgent action to prevent and respond to these human rights abuses, including through the adoption of public policy measures and campaigns against discrimination based on sexual orientation, as well as legislative reforms designed to bring its laws into conformity with the American Convention on Human Rights.

#### *Rights of persons with disabilities*

The Commission received information about the situation of persons with mental disabilities, notably the lack of adequate, specialized facilities for the care and protection of this population, and acts of violence and discrimination committed against them. In particular, during its visit to Spanish Town, the Commission was informed that there are roughly 10,000 mentally disabled persons living in St. Catherine, without access to a specialized facility for their care and protection. While visiting police station lock-ups in Spanish Town and the St. Catherine's prison facility, the Commission documented at least 4 mentally disabled persons being held in the police station lock-ups. Further, the Commission received information about acts of deadly violence perpetrated against persons with mental disabilities, some of whom live on the streets.

#### *Rights of persons with HIV/AIDS*

The Commission received information about the situation of discrimination against HIV-infected persons in Jamaican society. Approximately 27,000 persons in Jamaica are reported to be infected with HIV, 73% of these are between the ages of 20 and 49. The Commission was informed that once an HIV-infected person's family and community are made aware of his/her status, they are often rejected from their homes and communities. Further, HIV infected persons are reportedly denied equal access to healthcare due to discrimination based on their medical status. Public education and prevention outreach with the HIV infected population is difficult because this illness remains a social taboo in Jamaican society and largely associated with gays, lesbians, bisexuals and transsexuals, who also suffer severe discrimination. Given that Jamaica's legislation criminalizes sodomy, gay persons living with HIV are especially vulnerable to discrimination and violence. Finally, HIV persons who are homeless constitute a particularly vulnerable population in need of a more adequate State response.

#### *Right to freedom of expression*

The Commission met with media directors, journalists and officials of the Media Association of Jamaica and the Press Association of Jamaica, where it received information on issues related to legal standards that affects the exercise of the right of freedom of expression. In this regard, the Commission received information on legislative changes that have been recommended by a government-created task force and wishes to emphasize the importance of ensuring that the recommendations of this report receive expeditious consideration by the Parliament.

#### *Work of nongovernmental organizations*

The Commission wishes to commend the many nongovernmental organizations involved in defending human rights in Jamaica. The Commission visited a number of local centers providing basic services and support for

disadvantaged sectors of society, as well as initiatives designed to restore peace at the local level, or care for those with HIV/AIDS or severe disabilities. In all of these instances the Commission was very impressed by the constructive work being done.

### *Conclusions*

On the basis of the information received from multiple sectors including governmental authorities, representatives of NGO's and civil society, as well as victims or their family members, the IACHR has concluded that Jamaicans are caught in a deeply-rooted situation of violence and human rights violations. The measures taken by the State up until now have not had significant results in changing this situation, which disproportionately affects the economically disadvantaged and socially marginalized sector of society.

The Commission emphasizes that international instruments, including the American Declaration on the Rights and Duties of Man and the American Convention on Human Rights, establish the right to equal and effective protection of the law. All States have an obligation to respect and guarantee the free and full exercise of rights and freedoms without discrimination. Jamaica has an obligation to protect all its inhabitants and ensure the full enjoyment of human rights by all persons.

Human rights and citizen security are not opposing values. To the contrary, they are mutually reinforcing. In a context of extreme citizen insecurity and violence, such as that which prevails in Jamaica today, people are unable to exercise certain basic rights. The State has a duty to protect the citizenry, take reasonable measures to prevent violence, and respond to violent crime with due diligence and proportionality. The State must apply these duties equally to all by designing and implementing integral policies that guarantee citizen security and human rights, including political and civil rights as well as economic, social and cultural rights.

While one of the Commission's main objectives during this visit was to observe the situation of citizen insecurity, this issue cannot be evaluated in isolation of other factors that contribute to the high level of violence in Jamaican society. As stated by the United Nations in a general report on the Millennium Development Goals "Poverty increases the risks of conflict through multiple paths.... Many slums are controlled by gangs of drug traffickers and traders, who create a vicious cycle of insecurity and poverty. The lack of economically viable options other than criminal activity creates the seedbed of instability and increases the potential for violence."

In this respect, the Commission emphasizes the close link between corruption and the effective enjoyment of the human rights of the people. During this visit, the Commission was constantly reminded by government officials and civil society representatives that one of the major problems affecting Jamaican development is a pervasive corruption that seriously undermines the extraordinary potential of the country and is a constant obstacle for millions of Jamaicans to overcome poverty. In addition, corruption has a direct impact on the ability of the State to allocate resources to address the most serious problems affecting the Jamaican people. A significant reduction in malfeasance in respect of public funds could begin to ameliorate the lack of resources that the Commission observed in key areas of government, such as in the administration of justice, education, health and housing. The Government reported taking specific steps in this regard, including the arrest this year of over 70 police officers linked to alleged corruption.

The Commission identified many problems that are a result of the lack of resources that pervade all State institutions, with a profound negative impact on the enjoyment of human rights of all Jamaicans, especially the poor. In this regard, the Commission notes the difficulties in obtaining statistics regarding many of the challenges mentioned in these observations, and highlights that these statistics are necessary in order to diagnose the nature and scope of the problems, and evaluate the impact of public policies, which in turn would help government authorities decide on an efficient allocation of resources.

Finally, the Commission recommends that the State give consideration to the acceptance of the contentious jurisdiction of the Inter-American Court of Human Rights. This would provide an additional source of support for future advances in favor of the protection of human rights, and would also allow Jamaica to contribute its experience to the development of regional human rights system.

The Commission commends the openness of the government to engage with civil society and encourages it to maintain this positive attitude. The Commission is aware that many of the problems identified during its visit are structural ones and have affected Jamaican society for many years. In this sense, the Commission recognizes that no solutions will be immediate and that Jamaican society will have to work together to design and implement appropriate answers. The Commission's hopes that this visit, the preliminary observations and the country report that the IACHR will prepare in the coming months will help the government and the people of Jamaica in developing a national plan to advance the protection of human rights.

#### *On the visit*

The IACHR delegation that visited Jamaica was made up of its Chairman, Paolo Carozza, of the United States; its First Vice Chairperson, Luz Patricia Mejía, of Venezuela; its Second Vice Chairman, Felipe González, of Chile; and Commissioner Sir Clare K. Roberts, of Antigua and Barbuda, as well as the Commission's Executive Secretary, Santiago A. Canton, and staff members of the Executive Secretariat. The IACHR is the principal organ of the Organization of American States (OAS) responsible for promoting the observance and protection of human rights in the region, in accordance with the obligations established in the American Convention on Human Rights, which Jamaica ratified in 1978. The Commission is composed of seven independent members who act in a personal capacity, without representing a particular country, and who are elected by the OAS General Assembly.

During the visit, the Commission met with representatives of the Jamaican government and members of civil society. The Commission met with the Prime Minister, Bruce Golding; the Minister of Foreign Affairs and Foreign Trade, Kenneth Baugh; the Minister of Justice, Dorothy Lightbourne; the Minister of National Security, Trevor MacMillan; the Commissioner of the Police, Rear Admiral Hardley Lewin; the Public Defender, Earl Witter; the Chief of Staff of the Jamaica Defence Force, Major General Stewart E. Saunders; the Director of Public Prosecution, Paula Llewellyn; the Director of the National Forensic Laboratory, Judith Mowatt; the Executive Director of the Bureau of Women's Affairs, Faith Webster; the Head of the Bureau of Special Investigations, A. C. P. Gause; the Executive Chairman of the Police Public Complaints Authority, Justice Lloyd Ellis; the Vice President of the Resident Magistrates Association, Cresencia Brown, among others. The delegation also had meetings with the Coroner of Kingston, the Pathology Unit at the National Security Ministry, and the Police Superintendent for Spanish Town, and visited the

Council on Legal Aid in Kingston. In Montego Bay, the delegation visited the Legal Aid Office and held meetings with the Mayor, Charles Sinclair; Magistrate of the Family Court Rosalie Toby; the head of the Peace Management Initiative in Montego Bay, Bishop Dufour, and a representative from the Police Civilian Oversight Authority, Reverend Jackson and civil society organizations. Furthermore, the Commission visited St. Catherine Adult Correctional Center, the holding cells of Spanish Town and Hunts Bay police stations and St. Andrew's Juvenile Remand Center. In addition, the Commission held discussions with representatives of different sectors of civil society, including Jamaicans for Justice, Independent Jamaican Council for Human Rights, The Farquharson Institute of Public Affairs, Jamaica Forum for Lesbians All-Sexuals and Gays (J-FLAG), Women Inc, Women's Media Watch, Association of Women's Organizations in Jamaica, Jamaica Women's Political Caucus, Women Empowering Women, Women's Resource and Outreach Centre, Youth Opportunities Unlimited, Jamaican Coalition for Rights of the Child, and Justice and Peace Center in Montego Bay, and met with religious leaders, including Monsignor Richard Albert in Spanish Town and Missionaries of the Poor in Kingston. The Commission also held meetings with the Jamaican Bar Association, Southern Bar Association of Jamaica, and The Norman Manley Law School Legal Aid Clinic. In addition, the Commission co-organized a promotional activity with the Ministry of Justice and Jamaicans for Justice, and signed a Memorandum of Understanding with the Norman Manley Law School aiming to deepen and strengthen institutional cooperation ties in order to promote awareness of the inter-American human rights system in the Caribbean.

The Commission extends its sincere appreciation to the government and people of Jamaica for their assistance with this visit. The IACHR thanks the government for providing the cooperation and facilities required to carry out the visit. It thanks the people of Jamaica, including the representatives of nongovernmental and civil society organizations who provided information and hospitality during the visit. The Commission also extends its appreciation to the OAS Country Office for its helpful assistance and cooperation. The IACHR expresses its special appreciation for the important financial support of the European Commission and Luxembourg, whose donations helped to make the visit possible.

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