



Jamaica
Stakeholder Report for the United Nations Universal Periodic Review: The Death Penalty

Submitted by The Advocates for Human Rights,
a non-governmental organization in special consultative status

The Greater Caribbean for Life

Stand Up For Jamaica

and

The World Coalition Against the Death Penalty

**for the 50th Session of the Working Group on the Universal Periodic Review
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The Advocates for Human Rights (The Advocates) is a volunteer-based non-governmental organization committed to the impartial promotion and protection of international human rights standards and the rule of law since its founding in 1983. The Advocates conducts a range of programs to promote human rights in the United States and around the world, including monitoring and fact finding, direct legal representation, education and training, and publication. The Advocates is the primary provider of legal services to low-income asylum seekers in the Upper Midwest region of the United States. In 1991, The Advocates adopted a formal commitment to oppose the death penalty worldwide and organized a death penalty project to provide pro bono assistance on post-conviction appeals, as well as education and advocacy to end capital punishment. The Advocates currently holds a seat on the Steering Committee of the World Coalition against the Death Penalty.

The Greater Caribbean for Life (GCL) is an independent, non-profit civil society organization founded on October 2, 2013, in Port of Spain, Trinidad. It unites abolitionist individuals and organizations across 25 countries in the Greater Caribbean region—including Caribbean islands, parts of South and Central America, and various Caribbean territories. GCL advocates for the permanent abolition of the death penalty, upholding the right to life. The initiative began at a 2011 International Conference in Madrid organized by the Community of Sant'Egidio. GCL supports regional activists and collaborates with global abolitionist efforts, with members in 16 Caribbean states and territories.

Stand Up For Jamaica is a human rights NGO established in 2002 and operating in Jamaica. It is regularly registered and audited at the Registrar for NGOs in Jamaica. Its current mandate is to enhance and maintain the human rights of all, particularly those who are from the vulnerable groupings – children, women, persons living in impoverished communities, inmates, persons infected and affected by HIV/AIDS, and persons living with disabilities, for

example -- this is done by providing financial and non-financial support to our target populations and by informing the general public about their rights! Stand Up For Jamaica sees it imperative to concentrate most of its attention on the disenfranchised component of the Jamaican society who has been incarcerated. Stand Up For Jamaica provides rehabilitation programs for male and female inmates that will see them being able to adequately sustain themselves upon their return to the wider society.

The World Coalition Against the Death Penalty is a membership-based global network committed to strengthening the international dimension of the fight against the death penalty. Established in 2002, its ultimate objective is to obtain the universal abolition of the death penalty. To achieve its goal, the World Coalition advocates for a definitive end to death sentences and executions in those countries where the death penalty is in force. In some countries, it is seeking to obtain a reduction in the use of capital punishment as a first step towards abolition.

EXECUTIVE SUMMARY

1. This report addresses Jamaica’s compliance with its international human rights obligations with respect to the death penalty and related issues, including the prohibition against torture and cruel, inhuman, or degrading punishment, detention conditions, discrimination against women, and the right to a fair trial.

I. IMPLEMENTATION OF INTERNATIONAL HUMAN RIGHTS OBLIGATIONS

Acceptance of international norms

Status of Implementation: Not Accepted, Not Implemented

2. In its third-cycle Universal Periodic Review (UPR) in 2020, Jamaica summarily noted nine recommendations to ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights (OP2) or to make progress toward ratification.¹ Since that time, Jamaica has taken no steps toward ratification of OP2.

Death penalty

Status of Implementation: Not Accepted, Not Implemented

3. In the third-cycle UPR, Jamaica noted twelve recommendations related to: (1) enacting legislation abolishing the death penalty, and (2) declaring a moratorium with a view to abolishing the death penalty.² During the interactive dialogue, the Jamaican delegation “*stated that the country had a long-standing de facto moratorium on applying the death penalty,*” but that “*no decision had been taken to formally abolish the death penalty from the law books,*” a decision that “*was to be determined collectively by the Government and citizens of Jamaica.*”³
4. The most recent execution in Jamaica occurred in February 1988,⁴ but the death penalty remains an available penalty for: murder of security forces or judicial officers, jurors, or civil servants; murder for hire; double murders or repeat murders; and murder in the furtherance of a serious crime.⁵ There is no mandatory death penalty; judges may take mitigating circumstances into account.
5. As of 2023, there are no people on death row.⁶ But public support for the death penalty remains high,⁷ and authorities could resume executions at any time.⁸ Prosecutors continue to seek the death penalty in certain cases.⁹ In December 2024, Jamaica again voted against the UN General Assembly resolution calling for a global moratorium on the death penalty, while 2/3 of UN Member states voted in favor.¹⁰
6. Jamaica has made no progress toward abolition since 2020.¹¹ Some members of the Jamaican Government, including Prime Minister Andrew Holness, have publicly called for the resumption of executions,¹² and as recently as 2023 the Prime Minister called on lawmakers to amend the Offences against the Person Act to “clarify and reinforce” that the penalty for capital murder is the death penalty, with life imprisonment without parole as the only alternative penalty.¹³

7. In a November 2024 statement made before the UN General Assembly’s Third Committee, Permanent Representative of Jamaica Brian Wallace said, “[w]e note and duly respect that some Member States have implemented a moratorium on or abolished the use of the death penalty. Jamaica, on the other hand, is grappling with an epidemic of crime and violence that threatens the safety and security of those who are most vulnerable, as well as national efforts towards the achievement of sustainable development. Therefore, as a deterrent to violent crimes and as part of our efforts to maintain socio-economic stability, Jamaica continues to exercise its sovereign right to retain capital punishment as the ultimate penalty for the most egregious crimes, as provided for in our statutes and as determined through our judicial processes.”¹⁴

Prohibition of torture and cruel, inhuman or degrading treatment

Status of Implementation: Not Accepted, Not Implemented

8. In its third-cycle UPR, Jamaica noted nine recommendations related to ratifying the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.¹⁵
9. Jamaica has observed that, although the country is not a party to the Convention against Torture, its Constitution contains “various measures at the domestic level to meet its responsibility to ensure that persons within its jurisdiction or control [a]re not subjected to cruel, inhuman or degrading treatment or punishment,”¹⁶ and that it is a party to the American Convention on Human Rights and the International Covenant on Civil and Political Rights.¹⁷
10. The Independent Commission of Investigations (INDECOM), however, has investigated reports of alleged abuse committed by police, prison officials, security forces, and other state agents, and found that officials used intimidation and excessive physical force in restraint. The INDECOM also found evidence of “severe beating . . . of two inmates at the Horizon Adult Remand Centre in what the media reported may have been retaliation for the killing of a corrections officer employed at the facility.”¹⁸ The INDECOM also investigated the complaints of the abuse of power by police, including wrongful deaths, assaults, and mistreatment, but members of the security forces rarely face charges for abuses.¹⁹ As a result, police officers enjoy a certain level of impunity.
11. The Inter-American Commission on Human Rights has criticized Jamaica’s “continued use of States of Public Emergency,” under which security forces have “additional powers, including warrantless searches, arrest and detention.”²⁰ These states of emergency extend to defense forces as well, expanding the number of state actors who may enjoy impunity for excessive use of force.

Conditions of detention

Status of Implementation: Accepted, Partially Implemented

12. In its third-cycle UPR, Jamaica supported six recommendations to improve detention conditions, including by reducing overcrowding, improving access to medical care, and

improving sanitary conditions,²¹ however, detention conditions remain inhumane, and Jamaica has not taken any positive steps to address or improve these conditions.²²

13. Jamaica reported that the Department of Correctional Services (DCS) has reduced overcrowding in Jamaica's two maximum-security prisons, Tower Street Adult Correctional Centre (T.S.A.C.C.) and St. Catherine Adult Correctional Centre (ST.C.A.C.C.), by reclassifying inmates and transferring them from higher security facilities to lower security centers.²³ Jamaica also reports that it has significantly reduced the population at ST.C.A.C.C., where people under sentence of death were usually housed.²⁴ Despite these purported advances, according to recent reports, both T.S.A.C.C. and ST.C.A.C.C. are "currently operating above capacity, 200% of its 850-inmate capacity and 107% of its 850-inmate capacity, respectively."²⁵ Other reports have confirmed that correctional facilities in Jamaica are significantly overcrowded.²⁶
14. Jamaica has also reported that "all inmates and children in facilities operated by the DCS have access to medical, psychiatric and psychological services within the institutions . . . efforts are currently being made to increase the number of medical professionals available."²⁷ Nonetheless, the UN Joint Program on HIV/AIDS recently concluded that prisoners in facilities sometimes did not receive required medication, including medication for HIV.²⁸ Although two full-time and four part-time psychiatrists represent an increase in the number of available medical professionals, these psychiatrists cared for at least 262 inmates diagnosed as persons with psycho-social disabilities.²⁹
15. The INDECOM has investigated detention conditions and has documented decaying infrastructure, regular bug infestation, poor sanitary conveniences, and, in some locations, very poor sleeping conditions.³⁰

Gender-based violence; Discrimination Against Women; Domestic Violence

Status of Implementation: Accepted, Partially Implemented

16. In its third-cycle UPR, Jamaica supported several recommendations to address discrimination against women, including recommendations to work toward elimination of gender-based violence and discrimination against women.³¹
17. Jamaica has made some progress toward implementing these recommendations, but it has failed to ensure access to justice for women in conflict with the law, placing women at risk of facing the death penalty.³²
18. Crimes committed in the context of intimate partner violence and coercive control relationships can make women eligible for the death penalty.³³ In a groundbreaking 2018 study, the Cornell Center on the Death Penalty Worldwide found that, in the global context, women are more vulnerable and most likely to be sentenced to death for criminal offenses committed within the context of gender-based violence³⁴ and manipulative or coercive relationships with male co-defendants.³⁵ Cornell's data indicate that most women under sentences of death have been sentenced to death for the crime of murder.³⁶ These women have overwhelmingly experienced prolonged domestic violence at the hands of a partner, spouse, or another family member.³⁷ In many cases, the abuse occurred repeatedly. Many women under sentence of death are survivors of gender-based violence and come from disadvantaged socio-economic

backgrounds.³⁸ At a global level, sentencing courts typically fail to take into account a defendant's experience as a survivor of gender-based violence or a victim of a manipulative or coercive relationship (for example in cases where women are pressured or tricked into transporting drugs) as mitigating factors during sentencing.³⁹ Research also indicates that courts also fail to account for power dynamics and tactics of coercive control that may affect a woman's involvement in and culpability for a crime.

19. Additionally, sexual abuse and rape are pervasive in Jamaican prisons.⁴⁰ Gender-based violence, both prior to and within prisons, has left two-thirds of women in detention with post-traumatic stress disorder.⁴¹ In contrast to their male counterparts, women are less likely to receive parole⁴² and therefore remain in prison. Women in conflict with the law are therefore at heightened risk of further criminalization, including the death penalty, if they use lethal force to protect themselves from sexual assault in detention.⁴³
20. A 2021 Cornell follow-up study demonstrated that "fair trial principles dictate that courts should consider all relevant mitigating circumstances before imposing a sentence."⁴⁴ In practice, however, many courts, including Jamaica, neglect gender-specific mitigation.⁴⁵
21. Gaps in training for judges leave women vulnerable to being sentenced to death without courts considering gender-based violence as a mitigating factor. While Jamaica reported to the Committee on the Elimination of Discrimination Against Women that its Domestic, Sexual and Gender-Based Violence Project provided sensitivity training for police and first responders,⁴⁶ Jamaica does not adequately provide training to judges. Jamaica held six workshops and two "validation sessions" in which civil society organizations and Government Ministries, Departments, and Agencies trained professionals including "members of the justice system" on violence against women, however, Jamaica did not report that judges and prosecutors received any training on gender-based violence.⁴⁷ The Supreme Court considers "the pressures under which the offence was committed (such as provocation, diminished responsibility, emotional stress or other partial excuse)"⁴⁸ as a mitigating factor, but courts may overlook *prolonged* domestic violence as a mitigating factor, leaving victim-survivors vulnerable to facing death sentences.
22. Global trends show that women sentenced to death face intersectional discrimination. According to Cornell's 2018 report, most women on death row come from backgrounds of severe socio-economic deprivation and many are illiterate, which can reinforce unequal access to effective legal representation.⁴⁹ Globally, women on death row are more likely to be illiterate and unaware of their legal rights.⁵⁰ Illiteracy and lack of education among poor women leave them more vulnerable to discrimination, coercion, and exploitation.⁵¹ Many women in Jamaica lack legal literacy and therefore are more likely to experience discrimination and violations of their right to a fair trial if they come into conflict with the law.⁵²

Administration of justice and fair trial

Status of Implementation: Accepted, Not Implemented

23. In its third-cycle UPR, Jamaica supported three recommendations involving access to justice and fair trial rights, including recommendations to evaluate reforms of the judicial system that aim at strengthening procedural guarantees and the provision of

adequate legal aid services.⁵³ Jamaica's death penalty system, however, continues to violate due process rights. People charged with capital crimes have inadequate legal representation and face lengthy delays in the appeal process, while courts allow prosecutors to use confessions obtained through coercion to obtain convictions, and police and prosecutors lack of transparency and oversight.⁵⁴

24. With respect to due process violations, inordinate delays in the provision of transcripts for use in appeals remain a significant challenge. Law enforcement officials carry out inadequate investigations of criminal matters, people in conflict with the law are unable to obtain early court dates, and the judiciary is slow to issue decisions and judgments, including on appeal. People in conflict with the law often have inadequate legal representation, and in some cases, authorities impede attorney access to clients.⁵⁵

II. RECOMMENDATIONS

25. This stakeholder report suggests the following recommendations for the Government of Jamaica:

- Abolish the death penalty and replace it with penalties that are fair, proportionate, and consistent with international human rights standards.
- In the interim:
 - Establish a *de jure* moratorium on executions.
 - On an annual basis, publish data about all death sentences and people under sentence of death (and executions, if relevant) since the last disclosure, disaggregated by sex/gender, crime of conviction, and relationship to any codefendants or victims.
 - Ensure that all people at risk of being sentenced to death receive competent and independent legal representation.
- Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights.
- Ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.
- In collaboration with civil society organizations, conduct a nationwide public consultation campaign about the death penalty, human rights concerns surrounding the use of the death penalty, and alternatives to the death penalty that can deter crime effectively.
- Request technical assistance to conduct trainings for prosecutors and judges who handle capital cases on issues relating to gender-based discrimination, domestic violence, gender-based violence, and tactics of coercive control that can lead to women committing death-eligible offenses.
- Align detention conditions with the Nelson Mandela Rules and the Bangkok Rules, in particular by reducing overcrowding, improving access to medical

care for people in detention, and improving sanitary conditions, taking into account the particular needs of women in detention.

- Ensure that all women accused of capital crimes have access to free and effective legal representation by attorneys who specialize in death penalty cases and who have specific training on gender-sensitive defense strategies and mitigation.
- Ensure that every person charged with a capital crime has access to counsel at all times, from the start of the investigation through trial and any appeals, and ensure that the defense team has sufficient funding to conduct a thorough investigation and to secure relevant expert witnesses, particularly regarding gender-specific defenses, if relevant.
- Codify gender-specific defenses and mitigation in capital cases, encompassing women’s experiences of trauma, poverty, and gender-based violence.
- Request technical support to enhance timely access to court transcripts and to prioritize scheduling of and decisions in capital cases.
- Commission an independent investigation into allegations of rape and other forms of sexual assault against women in detention, and implement strategies to enhance accountability for perpetrators and to provide support for victims.
- Issue a directive to judges who handle criminal cases to ensure that no court allows a prosecutor to introduce into evidence any statements or testimony obtained through torture or other ill-treatment, except to prove that a person engaged in such torture or ill-treatment.
- Cease the practice of declaring States of Emergency to respond to outbreaks in criminal behavior, and ensure that any State of Emergency is justified in its reasonableness, necessity, and proportionality in the context of the emergency.

¹ Human Rights Council, Report of the Working Group on the Universal Periodic Review: Jamaica (Dec. 21, 2020), U.N. Doc. A/HRC/46/18. ¶ 109.2-5, .11.

² Human Rights Council, Report of the Working Group on the Universal Periodic Review: Jamaica (Dec. 21, 2020), U.N. Doc. A/HRC/46/18. ¶ 109.2 Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Germany) (Bolivarian Republic of Venezuela); ¶ 109.3 Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, and take the necessary measures, including awareness-raising campaigns, to allow for the early abolition of the death penalty, in line with Sustainable Development Goal 16 (Paraguay); Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, and at this stage ensure that the death-row regime does not amount to cruel, inhuman or degrading treatment or punishment (Ukraine); Sign the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, and adopt the legislative measures necessary for the total abolition of the death penalty in the country (Spain); ¶ 109.4 Abolish the death penalty and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Australia) (Portugal); ¶ 109.5 Fully abolish the death penalty and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Iceland); ¶ 109.10 Consider introducing a de jure moratorium on capital executions with a view to fully abolishing the death penalty (Italy); ¶ 109.11 Abolish the

death penalty and adhere to the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Mexico); ¶ 109.12 Consider abolishing the death penalty (Rwanda); ¶ 109.13 Abolish the death penalty (Sierra Leone); ¶ 109.14 Abolish the death penalty (Timor-Leste); ¶ 109.15 Consider abolishing the death penalty (Fiji); ¶ 109.16 Declare a moratorium on executions with a view to the final abolition of the death penalty for all crimes (France); Human Rights Council, Report of the Working Group on the Universal Periodic Review: Jamaica: Addendum, (Feb. 15, 2021), U.N. Doc. A/HRC/46/18/Add. 1. ¶ 108.11 Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, and the Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean (Panama) (noting that Jamaica has signed but not ratified the Escazú Agreement).

³ Human Rights Council, Report of the Working Group on the Universal Periodic Review: Jamaica (Dec. 21, 2020), U.N. Doc. A/HRC/46/18. ¶ 68.

⁴ “The Death Penalty in Jamaica,” Death Penalty Worldwide, <https://deathpenaltyworldwide.org/database/#/results/country?id=35#fn-21422-H48L78W237657> (last visited Feb. 24, 2025).

⁵ Jamaica Offences Against the Person Act, arts. 2(1)(a)-(f), 3(1)(a), 3(1A) (2017).

⁶ “Jamaica,” World Coalition Against the Death Penalty, <https://worldcoalition.org/pays/jamaica/> (last visited Feb. 23, 2025).

⁷ “To the Gallows,” The Gleaner, Aug. 21, 2022, <https://jamaica-gleaner.com/article/lead-stories/20220821/gallows#:~:text=Seven%20in%2010%20Jamaicans%20are,would%20be%20an%20effective%20deterrent> (finding that 72% of Jamaicans support the death penalty).

⁸ Human Rights Committee, *Concluding observations on the fourth periodic report of Jamaica, adopted by the Committee at its 3330th meeting* (1 November 2016), U.N. Doc. CCPR/C/JAM/CO/4, ¶ 35 (noting that despite a “de facto moratorium since 1988 . . . [Jamaica] does not intend to abolish the death penalty.”).

⁹ “State Seeks Death penalty in Gayle killing,” the Gleaner, January 11, 2025, <https://jamaica-gleaner.com/article/lead-stories/20250111/state-seeks-death-penalty-gayle-killing> (last visited March 5, 2025).

¹⁰ International Commission Against the Death Penalty, UNGA Moratorium Resolution Table, <https://icomdp.org/map-unga/> (last visited 31 Mar. 2025).

¹¹ Permanent Mission of Jamaica to the United Nations, *Statement by His Excellency Brian Wallace Permanent Representative on Amendment A/C.3/77/L.54 To Draft Resolution A/C.3/77/L.44 on Moratorium on the Death Penalty*, 77th Session of the United Nations General Assembly Third Committee, Nov. 11, 2022, 2, https://www.un.int/jamaica/sites/www.un.int/files/Jamaica/death_penalty_statement.pdf (last visited Feb. 24, 2025).

¹² “‘Hang dem’: ‘Bobby’ Montague renews call for the death penalty for vicious killers,” Jamaica Observer, https://www.jamaicaobserver.com/2024/10/30/hang-dem-bobby-montague-renews-call-death-penalty-vicious-killers/#google_vignette (last visited Feb. 24, 2025); “Amendments to Offences Against the Person Act Will Re-Enforce Death Penalty for Capital Murder,” Jamaica Information Service, Jan. 16, 2023, <https://jis.gov.jm/amendments-to-offences-against-the-person-act-will-re-enforce-death-penalty-for-capital-murder/> (last visited March. 5, 2025).

¹³ “Amendments to Offences Against the Person Act Will Ne-Enforce Death Penalty for Capital Murder,” Jamaica Information Service, <https://jis.gov.jm/amendments-to-offences-against-the-person-act-will-re-enforce-death-penalty-for-capital-murder/#:~:text=Prime%20Minister%2C%20the%20Most%20Hon.%20Andrew%20Holness%2C%20says,capital%20murder%20in%20Jamaica%20is%20the%20death%20penalty> (last visited Feb. 24, 2025).

¹⁴ Permanent Mission of Jamaica to the United Nations, *Statement by His Excellency Brian Wallace Permanent Representative on Amendment A/C.3/77/L.54 To Draft Resolution A/C.3/77/L.44 on Moratorium on the Death Penalty*, 77th Session of the United Nations General Assembly Third Committee, Nov. 11, 2022, 2,

https://www.un.int/jamaica/sites/www.un.int/files/Jamaica/death_penalty_statement.pdf (last visited March 5, 2025).

¹⁵ Human Rights Council, Report of the Working Group on the Universal Periodic Review: Jamaica (Dec. 21, 2020), U.N. Doc. A/HRC/46/18/Add. 1. ¶ 108.1 Sign and ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Canada) (Honduras); ¶ 108.2 Ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and its Optional Protocol (Denmark); Ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and its Optional Protocol, in line with Sustainable Development Goal 16 (Paraguay); Accede to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and its Optional Protocol (Vanuatu); Promptly accede to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and its Optional Protocol, and incorporate them into its national law (Ukraine); Continue its efforts to promptly accede to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and its Optional Protocol (Ghana); ¶ 108.3 Explore the possibility of adhering to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Niger); ¶ 108.4 Consider ratifying the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Fiji) (Sri Lanka); ¶ 108.5 Sign the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and its Optional Protocol (Spain); ¶ 108.6 Advance in the ratification of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and its Optional Protocol and of the International Convention for the Protection of All Persons from Enforced Disappearance (Chile); ¶ 108.9 Consider ratifying the International Convention for the Protection of All Persons from Enforced Disappearance and the Convention against Torture (Sierra Leone); ¶ 108.10 Ratify the Rome Statute of the International Criminal Court, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the International Convention for the Protection of All Persons from Enforced Disappearance (France); ¶ 108.32 Strengthen training for law enforcement officials, focusing on de-escalation and prevention of situations in which there may be a need to use force, as well as consider acceding to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Indonesia).

¹⁶ Human Rights Council, Report of the Working Group on the Universal Periodic Review: Jamaica (Dec. 21, 2020), U.N. Doc. A/HRC/46/18, ¶ 66.

¹⁷ Human Rights Council, Report of the Working Group on the Universal Periodic Review: Jamaica (Dec. 21, 2020), U.N. Doc. A/HRC/46/18, ¶ 66.

¹⁸ Confidential Source, 2023, on file with The Advocates for Human Rights.

¹⁹ *Ibid.*

²⁰ Inter-American Commission on Human Rights, *IACHR expresses concern over Jamaica's continued use of states of emergency*, 5 Sept. 2024, https://www.oas.org/en/iachr/jsForm/?File=/en/iachr/media_center/preleases/2024/208.asp&utm_content=count-ry-jam&utm_term=class-mon.

²¹ Human Rights Council, Report of the Working Group on the Universal Periodic Review: Jamaica (21 Dec. 2020), U.N.Doc. A/HRC/46/18, ¶ 107.40 Pursue the efforts under the policy to reduce overcrowding of prisons, including by resorting to alternatives to imprisonment, and improve conditions of detention, in particular with regard to sanitary conditions of detention, in particular with regard to sanitary conditions and access to medical care (Senegal); ¶ 107.41 Take measures to decrease detention of children and migrants and to reduce prison overcrowding (Sierra Leone); ¶ 107.42 Respond constructively to the anticipated government task force report on the long-term incarceration of mentally ill people in Jamaican prisons, and address the systematic failures identified by the Independent Commission on Investigations (United Kingdom of Great Britain and Northern Ireland); ¶ 107.43 Take effective steps to reduce overcrowding in detention facilities, with alternatives to deprivation of liberty, and improve sanitary conditions and access to medical care for detainees (Bolivarian Republic of Venezuela); ¶ 107.49 Continue the efforts to improve detention conditions, and consider further

actions concerning alternative measures to imprisonment, to keep minors separated from adults, as well as social reintegration programmes (Italy); and ¶ 107.56 End abuses by security forces and other government agents involved in extrajudicial killings, arbitrary detention, and life-threatening prison conditions, and ensure swift accountability for those who commit abuses, by implementing existing mechanisms to investigate and punish abuses, and by clearing administrative backlogs (United States of America).

²² See, e.g., “Proposed one-size-fits-all mandatory minimums,” Jamaica Observer, <https://www.jamaicaobserver.com/columns/proposed-one-size-fits-all-mandatory-minimums/> (last visited Apr. 9, 2023).

²³ Replies from the Government of Jamaica to the list of issues (CCPR/C/JAM/Q/4) in relation to the fourth periodic report of Jamaica (CCPR/C/JAM/CO/4).

²⁴ Information received from Jamaica on follow-up to the concluding observations (19 July 2018), U.N. Doc. CCPR/C/JAM/CO/4, ¶ 10.

²⁵ “Proposed one-size-fits-all mandatory minimums,” Jamaica Observer, <https://www.jamaicaobserver.com/columns/proposed-one-size-fits-all-mandatory-minimums/> (last visited Feb. 24, 2025).

²⁶ Confidential Source, 2022, on file with The Advocates for Human Rights.

²⁷ Human Rights Committee, Information received from Jamaica on follow-up to the concluding observations (19 July 2018), U.N. Doc. CCPR/C/JAM/CO/4, ¶ 17.

²⁸ Confidential Source, 2022, on file with The Advocates for Human Rights.

²⁹ Human Rights Committee, *Concluding observations on the fourth periodic report of Jamaica, adopted by the Committee at its 3330th meeting* (1 November 2016), U.N. Doc. CCPR/C/JAM/CO/4, ¶ 32.

³⁰ “INDECOM concerned about state of Correctional facilities,” Radio Jamaica News, <http://radiojamaicanewsonline.com/local/indecom-concerned-about-state-of-correctional-facilities#:~:text=INDECOM%20says%20the%20investigation%20highlighted%20failings%20which%20if,an d%2C%20in%20some%20locations%2C%20very%20poor%20sleeping%20conditions> (last visited Feb. 24, 2025).

³¹ Human Rights Council, Report of the Working Group on the Universal Periodic Review: Jamaica (Dec. 21, 2020), U.N. Doc. A/HRC/46/18. ¶ 107.85 Strengthen its efforts to promote gender equality and equal participation in decision-making positions in public and political life (Maldives);

¶ 107.86 Consolidate efforts to protect vulnerable groups such as women and children from all forms of exploitation (Mauritius); ¶ 107.87 Continue its efforts towards eliminating domestic and gender-based violence (Greece); ¶ 107.88 Continue efforts to combat discrimination and violence against women, in particular domestic violence and sexual harassment (Morocco); ¶ 107.87 Continue its efforts towards eliminating domestic and gender-based violence (Greece); ¶ 107.88 Continue efforts to combat discrimination and violence against women, in particular domestic violence and sexual harassment (Morocco); ¶ 107.89 Continue measures to eliminate gender-based violence through awareness-raising and training programmes among the public, public officials and law enforcement personnel (Myanmar); ¶ 107.90 Continue taking measures to promote gender equality in political and public life (Nepal); ¶ 107.91 Consider allocating the necessary resources for the proper implementation of the Ten-Year Strategic National Action Plan to Eliminate Gender-based Violence (Peru); ¶ 107.92 Amend the Sexual Offences Act with a view to criminalizing all forms of marital rape and implement effectively the Strategic Action Plan to Eliminate Gender-based Violence, guaranteeing due reporting, investigation and prosecution of gender-based violence, particularly domestic and sexual violence, abuse and harassment (Portugal); ¶ 107.93 Prevent domestic violence (Russian Federation); ¶ 107.94 Continue to take necessary measures to increase the participation of women in public and political life (Rwanda); and ¶ 107.95 Address gender-based violence and all other forms of violence, with a view to bringing perpetrators to justice (Sierra Leone);

³² Open Government Partnership, *Jamaica Open Government Partnership: National Action Plan 2021 - 2023*, (Washington D.C., January, 2022).

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- ³³ Cornell Center on the Death Penalty Worldwide, *Judged for More Than Her Crime: A Global Overview of Women Facing the Death Penalty* (Sept. 4, 2018). Available online at <https://www.deathpenaltyworldwide.org/wp-content/uploads/2019/12/Judged-More-Than-Her-Crime.pdf>.
- ³⁴ Cornell Center on the Death Penalty Worldwide, *Judged for More Than Her Crime: A Global Overview of Women Facing the Death Penalty* (Sept. 4, 2018). Available online at <https://www.deathpenaltyworldwide.org/wp-content/uploads/2019/12/Judged-More-Than-Her-Crime.pdf>.
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⁵³ Human Rights Council, Report of the Working Group on the Universal Periodic Review: Jamaica (21 Dec. 2020), U.N.Doc. A/HRC/46/18, ¶ 107.39 Reform the functioning of the penitentiary system (Russian Federation); ¶ 107.52 Evaluate reforms of the judicial system that aim at strengthening procedural guarantees and the provision of adequate legal aid services (Peru); and ¶ 107.60 Fight against impunity by supporting any initiative aimed at improving the rate of solving crimes and the access of victims and their families to justice, and improving the processing times for criminal cases (France);

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