



**Permanent Mission of Jamaica  
to the Organization of American States**

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The Permanent Mission of Jamaica to the OAS presents its compliments to the Executive Secretariat of the Inter-American Commission on Human Rights (IACHR) and further to the former's communication dated 21<sup>st</sup> September 2012, has the honour to submit the Government of Jamaica's comments in respect to the process of strengthening of the Inter-American System for the protection of human rights, as follows:

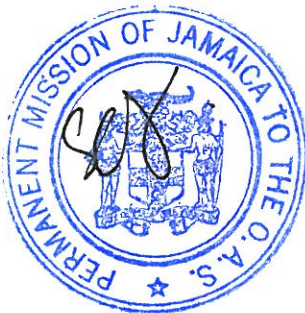
- Jamaica strongly supports many of the recommendations contained in the Report of the Special Working Group to reflect on the Workings of the Inter-American Commission on Human Rights.
- We also support the recommendations regarding strengthening the friendly settlement procedures and revising the methodology and criteria and procedures for preparing Chapter IV reports.
- We believe that greater attention should be given to the promotion of Human Rights awareness, and in this regard fully support the recommendations concerning the strengthening of human rights promotion activities. This should also include efforts aimed at improving public perception of the work being undertaken by the OAS to strengthen the IAHRs. To this end, Jamaica also strongly supports a greater a number of seminars and workshops being organized to facilitate this sensitization process.
- We firmly believe that there is a need for the enhancement of Caribbean participation in the process.
- The following are some of the recommendations that we believe should be implemented with urgency given the experiences Jamaica has had in the Inter American Commission on Human Rights:
  - a) Defining and disseminating more precise objective criteria for granting, reviewing, and, as applicable, extending or lifting precautionary measures.

- b) Confining the assessment for granting precautionary measures to the “seriousness” and “urgency” of situations, and avoiding considerations on the merits of the matter.
- c) Defining objective criteria or parameters for determining “serious and urgent situations” and the imminence of the harm, taking into account the different risk levels.
- d) In order to reinforce the temporary nature of the measures requested, clearly establishing, in consultation with the parties, a work plan for the periodic review of precautionary measures with its corresponding schedule.
- e) In extremely serious and urgent cases where precautionary measures have been requested without first soliciting information from the State, reviewing such measures as soon as possible in consultation with the State.
- f) Examining the rules on decision-making in cases of requests for precautionary measures where it has not been possible to request information from the State, so that said measures can be adopted by a special (qualified) majority.
- g) Stating and giving reasons for the legal and factual elements considered for granting, reviewing, and, as appropriate, extending or lifting precautionary measures. Grant a reasonable amount of time for states to implement precautionary measures, taking into consideration, not only the seriousness and urgency, but also the nature and scope of the measures, the number of beneficiaries, and, the overall circumstances of the case.
- h) Establishing that the beneficiaries’ refusal to accept precautionary measures, their misuse thereof, or a change in the circumstances that prompted them shall be cause for lifting them.
- i) Disclosing the factual elements that have been presented to it, as well as evidence provided to corroborate the veracity of the events when adopting precautionary measures.
- j) Rigorously applying criteria for admissibility of petitions, including thorough verification of the exhaustion of local remedies to avoid parallel proceedings in domestic instances and the IACHR.
- k) Developing and broadening the criteria or parameters for setting aside petitions and cases, including, in particular, those in which there has been a protracted period of procedural inactivity.
- l) Putting into effect deadlines (at least on an indicative basis) for each procedural stage.
- m) Granting reasonable deadlines and extensions for states to relay observations on petitions, considering the time elapsed since the facts stated in the petition

- and the volume of the background material, and/or the complexity of the matter.
- n) Granting reasonable deadlines and extensions for states to follow up on the recommendations of the IACHR in the light of their nature and the scope of the actions requested of the State, as appropriate, subject to applicable standards.

The Permanent Mission of Jamaica would also wish to use this opportunity to again reiterate Jamaica's full commitment to the promotion and protection of human rights and to undertaking all necessary steps to implement its obligations under the conventions to which it is a party. The Mission is of the view that the Working Group has made a valuable contribution to the strengthening of the human rights system in the region, and Jamaica will therefore continue to engage in the process of follow-up to the work of the group and to improving the human rights system for the benefit of the peoples of the region.

The Permanent Mission of Jamaica to the OAS avails itself of this opportunity to renew to the Executive Secretariat of the Inter-American Commission on Human Rights the assurances of its highest consideration.



Executive Secretariat  
Inter-American Commission on Human Rights (IACHR)  
Organization of American States  
5<sup>th</sup> October, 2012