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Institution:	Inter-American Commission on Human Rights
File Number(s):	Report No. 13/84; Case No. 9054
Session:	Sixty-Third Session (24 September – 5 October 1984)
Title/Style of Cause:	Earl Pratt v. Jamaica
Doc. Type:	Resolution
Decided by:	Chairman: Mr. César Sepúlveda; First Vice Chairman: Dr. Luis Demetrio Tinoco Castro; Second Vice Chairman: Dr. Luis Adolfo Siles Salinas; Members: Dr. Andrés Aguilar; Dr. Marco Gerardo Monroy Cabra; Dr. Gilda Maciel Russomano; Mr. Bruce McColm
Dated:	03 October 1984
Citation:	Pratt v. Jam., Case 9054, Inter-Am. C.H.R., Report No. 13/84, OEA/Ser.L/V/II.66, doc. 10 rev. 1 (1984-1985)
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BACKGROUND:

1. On June 12, 1981 Mr. Earl Pratt a Jamaican citizen acting on his own behalf submitted a communication to the Inter-American Commission on Human Rights in which he stated that he was arrested, accused of a crime of which he had no knowledge, tried, sentenced and condemned to death. In December 1980, he lost his appeal. Earl Pratt complains of unfair trial.
2. By letter of August 19, 1981, the Commission, in accordance with Articles 29, 32 and 34 of the Regulations then in force requested that the plaintiff supply additional information to satisfy the requirements of the Regulations.
3. The Commission, by Note of February 17, 1983, transmitted to the Government of Jamaica the pertinent parts of the communication and, taking into consideration the fact that the plaintiff, as a Death Row detainee could not furnish the necessary information and documentation to satisfy the requirements of the Regulations and also to prove his allegations, requested that the Government of Jamaica provide information regarding the charges contained in the denunciation together with any other information which permit the Commission to determine whether the internal legal remedies and procedures had been duly applied and exhausted in this case. The plaintiff was advised of this request by letter of the same date.
4. The Government of Jamaica, by Note N 6/80/1 of July 15, 1983, replied to the Commission's request and furnished copies of the transcripts of the Home Circuit Court of Kingston and application for leave to appeal the conviction and sentence of Earl Pratt. The plaintiff was advised of this submission by letter of August 31, 1983.
5. By Note of October 14, 1983, the Commission reiterated its request that the Government of Jamaica provide within 30 days the notes of the Appeal Court regarding the case of Earl Pratt.

6. The plaintiff acknowledged receipt of the Commission's communications by letter of February 2, 1984.

7. By Note N 6/80/1 of March 6, 1984, the Government of Jamaica submitted to the Commission Criminal Form 17 of the Appeal Court informing that the conviction and sentence of Earl Pratt had been affirmed on December 5, 1980. The plaintiff was advised of the Government's submission by letter of March 20, 1984.

WHEREAS:

1. The information and documentation submitted to the Commission indicate that all domestic legal remedies have been exhausted and none of the conditions of inadmissibility established in the American Convention on Human Rights were present, therefore, there exists no reason not to declare this case admissible;

2. A study of the transcripts of the Home Circuit Court and the Court of Appeal as well as of the conduct of the trial of Earl Pratt and review of his case show that the rules of criminal procedure were observed and that the plaintiff received a fair trial;

3. That the plaintiff informed the Commission that he lost his appeal in December 1980;

4. During his trials, Earl Pratt was assisted by defense counsel;

5. The documents submitted to the Commission show that the requirements of due process have been fulfilled.

THE INTER-AMERICAN COMMISSION ON HUMAN RIGHTS,
RESOLVES:

1. To declare that there exists no evidence of the alleged violations of the American Convention on Human Rights as claimed by the plaintiff;

2. To communicate this Resolution to the Government of Jamaica and to the plaintiff; and

3. To recommend that the Government of Jamaica suspend the execution of those persons sentenced to death, commute the sentence of Earl Pratt and request, in accordance with its Regulations and the spirit of Article 4 (3) of the American Convention on Human Rights as well as for humanitarian reasons, that the Government take definite steps to abolish the death penalty as has been done in various countries.