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Institution: Inter-American Commission on Human Rights
Title/Style of Cause: Kevin Clark et al. v. Jamaica
Doc. Type: Decision on Precautionary Measures
Dated: 12 September 2002
Citation: Clark v. Jamaica, Inter-Am. C.H.R., OEA/Ser.L/V/II.117, doc. 1 rev. 1, Ch. III, para. 65 (2002)

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65. On September 12, 2002 the Commission authorized precautionary measures in favor of Kevin Clark and other residents of Area 4 in the city of Kingston, Jamaica at risk of irreparable harm. According to the petition requesting the measures, during the preceding three years a member of the Jamaican Constabulary force then with the Hunts Bay Police Station, Detective Inspector Donovan O'Connor, was allegedly involved in six fatal shootings along with other cases of alleged abuse including three cases of harassment, two beating and one non-fatal stabbing. The petition also indicated that none of these incidents had been properly investigated by the State and that Detective Inspector O'Connor had been retained as a front line officer despite having been implicated in these events, contrary to the JCF internal protocols and the UN Principles on the Effective Prevention and Investigation of Extra-Legal, Arbitrary and Summary Executions. In addition, the request indicated that Detective Inspector O'Connor had harassed Kevin Clark, a resident of Area 4, by threatening his life in October 2001 and detaining him for over five days without charge in June 2002. Subsequently, based on additional information provided by the parties in notes dated January 31, 2003, the Commission informed the parties that it had decided to revise its September 12, 2002 precautionary measures by requesting that the State of Jamaica take the urgent measures necessary to protect the lives and physical integrity of Kevin Clark, Gregory Brown, and other residents of Area 4 in West Kingston who were at risk of irreparable harm, conduct thorough, prompt and impartial investigations into the threats alleged to have been made by Detective Inspector Donovan O'Connor against Kevin Clark, and conduct similar investigations into the alleged threats against Gregory Brown. At the same time, the Commission lifted its request that the State of Jamaica conduct thorough, prompt and impartial investigations into measures in respect of the fatal shootings denounced by the Petitioners, without prejudice to the Petitioners' competence to lodge a petition pursuant to Article 44 of the American Convention containing denunciations or complaints of violations of the Convention by a State Party.