



Convention on the Elimination of All Forms of Discrimination against Women

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**Committee on the Elimination of Discrimination
against Women**
Fifty-second session
9-27 July 2012

Reponses to the list of issues and questions with regard to the consideration of the combined sixth and seventh periodic report

Jamaica*

General

1. **Please provide information on the process of preparing the State party's combined sixth and seventh periodic report (hereinafter: the report), in particular on the nature and extent of consultations with non-governmental organizations (NGOs). Please also indicate whether the report was submitted to Parliament and adopted by the Government.**

In preparing Jamaica's combined sixth and seventh periodic report, the Bureau of Women's Affairs (BWA) — the governmental body responsible for the advancement of women and gender equality — consulted ministries, departments and agencies (MDAs) as well as non-governmental organizations (NGOs). In respect of the latter, those consulted include the Jamaica Network of Rural Women Producers (JNRWP), the Association of Women's Organizations in Jamaica (AWOJA), Woman Inc., the Women's Resource and Outreach Centre (WROC), Friedrich Ebert Stiftung (FES), the Jamaica Household Workers' Association and the Jamaica Women's Political Caucus.

Special assistance and guidance were provided by the Ministry of Justice through specific agencies, namely the Office of the Chief Justice, the Office of the Director of Public Prosecutions (DPP), the Attorney-General's Chambers, and the Legal Reform Department. The Ministry of Foreign Affairs and Foreign Trade provided valuable feedback and guidance towards the preparation of the Report.

In addition, a CEDAW Technical Working Committee was established by the BWA to provide oversight and technical support. The technical team comprised the Executive Director & Senior Staff of the Bureau of Women's (Gender) Affairs,

* The present document is being issued without formal editing.



senior staff from the Ministry of Justice (Office of the Director of Public Prosecutions, the Attorney-General's Chambers, and the Legal Reform Department), Ministry of Foreign Affairs and Foreign Trade, an attorney-at-law, as well as senior legal officers from the Ministry of Labour and Social Security, Ministry of Health, Ministry of Education, and the President of the Jamaica Network of Rural Women Producers (JNRWP). The Committee provided feedback on the essential legislative/policy framework and other critical areas in keeping with the guidelines for reporting on international human rights instruments.

The final draft Report was subsequently disseminated among the membership of the CEDAW Technical Working Committee, MDAs, NGOs, partners and other key stakeholders, prior to being submitted to and approved by the Human Resource Committee of Parliament. Once approved by the Human Resource Committee, the Report was submitted to the UN Committee on the Elimination of Discrimination against Women (CEDAW) in August 2010.

Legal Status of the Convention and legislative and institutional framework

2. Please indicate whether the State party plans to amend the non-discrimination provision in the Charter of Fundamental Rights and Freedoms (see report, at paras. 64-65), with a view to including sex (rather than “being male or female”) as a prohibited ground of discrimination, as well as defining discrimination based on sex in line with article 1 of the Convention and extending to acts of both public and private actors, in accordance with article 2 of the Convention, as requested in the Committee’ previous recommendations (CEDAW/C/JAM/CO/5, at para. 20).

The Charter of Fundamental Rights and Freedoms, which will replace Chapter III of the Jamaican Constitution, has been adopted by Parliament. Section 13 (3) (i) (ii) provides a right of freedom from discrimination on the ground of “being male or female”. This provision represents an improvement on the provision of the old Chapter III of the Constitution which did not explicitly prohibit discrimination on the ground of “sex”. While the Charter does not use the word “sex” as a ground for discrimination, the prohibition of discrimination on the ground of being “female” is to be interpreted as complying with the objective of the Convention which is to prohibit discrimination against a person, on the basis of that person being “female”. Article 1 of the Convention clarifies the term sex by stating that the conduct to be prohibited is that conduct which “has the effect or purpose of impairing or nullifying, the recognition, enjoyment or exercise by women ... of human rights and fundamental freedoms.” Notwithstanding the fact that the word “sex” is not explicitly used in the Charter therefore, section 13 (3) (i) (ii) of the Charter has the effect and achieves the objective intended by the Convention, which is to prohibit discrimination solely on the basis that a person is female. There is no indication at this time of an intention to amend the Charter to replace the term “being male or female” with the word “sex”.

The prohibition against discrimination, which is enshrined in the Charter of Fundamental Rights and Freedoms, extends to acts of both public and private actors in accordance with article 2 of the Convention. The relevant provisions contained in sections 13 (4) and 13 (5) of the Charter which enable acts of private and public actors to be covered represent radical improvements to the Jamaican Constitution. Section 13 (4) of the Charter which covers the acts of public actors provides that

“This Chapter applies to all law and binds the legislature, the executive and all public authorities.” Section 13 (5) extends to acts of private actors by providing that “A provision of this Chapter binds natural or juristic persons if, and to the extent that, it is applicable, taking account of the nature of the right and the nature of any duty imposed by the right.”

3. Please provide concrete examples of measures taken to provide systematic training to judges, lawyers and public prosecutors on the application of national legislation in conformity with the Convention (see report, at para. 22) and in line with the Committee’s general recommendations. Please also provide examples of court cases where provisions of the Convention have been invoked by individuals, as requested in the Committee’s previous concluding observations (CEDAW/C/JAM/CO/5, at para. 24).

In an effort to ensure that the administrators of the justice system are fully aware of the obligations emanating from the international treaties and conventions that have been ratified by the Government of Jamaica regarding the rights of women, the Bureau of Women’s Affairs continues to coordinate and organize sensitizations workshops and seminars for Resident Magistrates and High Court Judges. With funding support from the UNIFEM Trust Fund Violence against Women Reduction Project (2007-2009), for example, workshops and discussions with Resident Magistrates on the implementation of international conventions and agreements relating to violence against women and girls.. As part of this endeavour, over twenty-two (22) Resident Magistrates received training in how to offer greater redress to women and girls who are victims of violence, especially sexual violence and domestic abuse. Similar training sessions have also been held throughout the period with members of the Office of the Director of Public Prosecutions (DPP). Discussions are ongoing with the Chief Justice and the Director of the Justice Training Institute with the aim of having this training institutionalized within the Institute.

National machinery

4. Please indicate the current number of staff and the annual budget of the Bureau for Women’s Affairs (BWA; see report, at paras. 43 and 53) and whether those resources are adequate in light of the Bureau’s broad mandate. Please also indicate the measures taken to ensure that the BWA complements rather than duplicates the activities of women’s NGOs.

The BWA has a staff complement of twenty-two (22) persons: eighteen (18) females and four (4) males. The BWA’s Mission is to enable women to achieve their full potential as participants in Jamaica’s social, cultural and economic development and with equitable access to and benefits from the country’s resources. In this regard, the BWA has a mandate to act as a catalyst to ensure that the Government addresses the problems that confront women, such as high rates of unemployment and violence against women.

The BWA’s main objective is to enable women to recognize their full potential as individuals and to create avenues for their full integration in national development. These are carried out mainly through the BWA’s main units which include Research, Policy Development and Documentation, Community Liaison (Public Education and Training) as well as Project Planning and Monitoring.

While there are fiscal constraints, the Bureau augments its work programme with project funds received from International Development Partners (IDPs). In addition to the Bureau's budget, other sectoral ministries address other gender related issues. For example, the Ministry of National Security and the Ministry of Justice, including the Victim Support Unit, also has budgetary allocations to addresses gender based violence.

The Bureau, as the main governmental body for the advancement of women and gender equality, more often than not sets the tone regarding the critical areas for national priority action. These are derived from local needs and are also in keeping with regional, subregional and international plans of action and priorities. The work of the Bureau, therefore, is distinct, well defined, and different from the work of the NGOs as the programmes reach out to different and varied stakeholders. The initiatives carried out are anchored by the national objectives and, in this regard, the Bureau does not in any way duplicate the work of the NGOs. In other instances, there are concerted collaborative efforts to achieve a major objective. The work of the NGOs complements the work of the Bureau and vice versa as there is a common goal to promote gender equality and women's empowerment.

Temporary special measures

5. Please provide information on measures taken to promote the understanding and use of temporary special measures, in accordance with article 4, paragraph 1, of the Convention and the Committee's general recommendation No. 25 (2004), as recommended in the Committee's previous concluding observations (CEDAW/C/JAM/CO/5, at para. 28). Please also provide information on the impact of the measures referred to in paragraphs 86 to 88 of the report, as well as further examples of temporary special measures taken by the State party since 2007 to promote and accelerate de facto or substantive equality of women and men in areas other than employment.

Jamaica's first ever National Policy for Gender Equality was launched on March 7, 2011 and tabled in Parliament on November 22, 2011. The NPGE recognizes the serious challenges being faced by our men and boys and contemplates temporary special measures in educational institutions in order to achieve greater balance in the representation of males and females. This embraces the concept of true gender equality and partnership between men and women which is necessary to create a gender harmonious society.

Traditional stereotypes

6. What concrete measures such as specific campaigns, initiatives and projects have been adopted by the State party to eliminate discriminatory attitudes condoning violence against women and traditional stereotypes on the roles and responsibilities of women and men in the family and in society, including negative images of women in the media (see report, at paras. 161-165)? In that regard, please describe the impact of the Vision 2030 National Development Plan (para. 44) and the progress achieved in developing and implementing an anti-discrimination public education campaign (para. 160).

There are several programmes and initiatives aimed at addressing discriminatory attitudes and traditional stereotypes. These include the aforementioned National Gender Policy; National Plan of Action on Gender Based Violence; Schools'

Education Programme, Community Based Programmes, Justice System Workshops, Legislative Review public awareness sessions and special observances such as IWD and IDAVEW activities. Efforts also persist to ensure that the role of media in combating such stereotypes and attitudes is understood. To this end, there are ongoing Media Workshops and discussions geared towards addressing negative stereotypes and images in media. The Caribbean Institute of Media and Communication (CARIMAC) has also prepared a Training Module to facilitate training and to sensitize students pursuing studies in communication to the issue of gender stereotyping.

The Vision 2030 Jamaica — National Development Plan was approved in May 2009, with all Ministries, Departments and Agencies of Government called on to align their corporate plans to its strategic priorities.

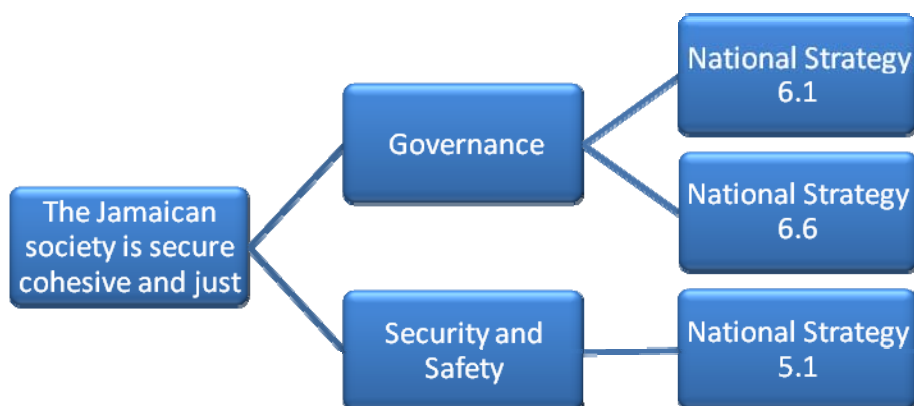


Figure 1
National Goal 2 and gender-related National Outcomes and National Strategies (Vision 2030 Jamaica National Development Plan)¹

Within this broad national document, several sub-plans were enunciated, one of which has to do with Gender and Development. Although the sub-plans are largely sectoral, it was deemed critical that the largely cross-cutting issue of gender should have a separate treatment, to underscore its breadth and comprehensiveness. The themes and perspectives articulated in the document were the result of wide-ranging involvement of State, non-State and private sector partners, in a rigorous analysis of the current situation, strengths, weaknesses, gaps and threats, as well as national strategies to address same. The Gender Development sub-plan considers all pertinent United Nations commitments on behalf of women and children, as well as other global agreements. Discrimination and violence against women and children are key subjects addressed in the plan as are gender equality of opportunity and equity.

The Planning Institute of Jamaica (PIOJ) has used several forums and platforms to raise awareness and encourage a high level of sensitization to the general public and specific interest groups. The Plan anticipates key roles for the Bureau of Women's Affairs, which is charged with developing and implementing a

¹ Please see meaning of referenced Strategies: (a) National Strategy 6.1 — Strengthen the process of citizen participation in governance; (b) National Strategy 6.6 — Foster equity in all spheres of society; and (c) National Strategy 5.1 — Strengthen the capacity of communities to participate in creating a safe and secure society.

range of policies and legislative instruments, to take the development agenda forward. The PIOJ has supported the drafting and consultations necessary for a national Gender Policy, as well as policies regarding Sexual Harassment and the National Policy for Gender Equality.

While the PIOJ would not be immediately responsible for an anti-discrimination campaign, the Institute supports the BWA in the examination of existing legislation or identification of policy gaps that would address such discrimination, and the PIOJ is also involved in promoting gender mainstreaming. A Thematic Working Group is also to be coordinated by the PIOJ to guide the implementation of aspects of the long-term development plan for gender.

Violence against women

7. Please indicate whether domestic violence is subject to ex officio prosecution (see report, at para. 124), and provide updated information on the number of complaints (paras. 175, 180), prosecutions, convictions and the sentences imposed in cases of domestic violence. Please also provide data disaggregated by sex and age of victims and perpetrators. Please further indicate the number of women who have been killed annually by their husbands, intimate partners or ex-husbands since 2007.

Please see response to Question 9 which has been received from the Statistics Unit — Jamaica Constabulary Force. They have indicated their inability to provide data on the number of women who have been killed annually by their husbands, intimate partners or ex-husbands since 2007 as the information is not disaggregated in this manner. However, the National Family Planning Board, with funding from USAID, conducted a 2008 Reproductive Health Survey, which reported statistics and gave some data on intimate partner violence (IPV). In summary, it explained that among every partnered female 15-49:

- 1 in 3 had experienced some combination of IPV during her lifetime
- 1 in 5 had experienced physical or sexual IPV in her lifetime
- 1 in 2 (48%) have experienced at least one controlling behaviour and
- 8% reported ever having been forced to have sex by an intimate partner

The 2008 Reproductive Health Survey was a household survey of a nationally representative sample of 8,259 women aged 15-49 (96.7 per cent response rate) and 2,775 men aged 15-24 (94.4 per cent response rate). Female and male samples were selected independently, and allowed for independent estimates by urban and rural residence and health regions. The survey employed a three stage stratified cluster sample design based on the 628 census sectors, and stratified by the 14 parishes (see appended table 9).

8. Please provide additional information on the efforts made by the State party to establish and adequately fund shelters for women and girls victims of domestic violence (see report, at para. 107), including in rural areas, as well as on the amount of State funding provided to NGOs offering shelter and legal, social and psychological assistance to such victims. What services are being provided by the Victims Support Unit within the Ministry of National Security and to what extent are gender-sensitive interrogation and investigation methods applied in domestic and sexual violence cases (paras. 181-183)?

Currently, one official shelter exists for victims of domestic violence. Although this shelter is managed by Woman Inc — an NGO — the Government of Jamaica recognizes the need to provide shelter for abused women and, therefore, continues to provide financial support in the form of annual subvention to Woman Inc in order to assist women in crisis. This support is also extended to paying for the accommodation of Woman Inc offices in Kingston and Montego Bay.

The Government of Jamaica (GOJ) has now acquired a building for a State-run shelter and plans are in train to renovate the building.

The Victim Support Unit, which now resides in the Ministry of Justice, has chief responsibility for the psychosocial care of the victims through psychological assessments, therapeutic interventions and the provision of Court Support where applicable. The primary outputs of the Unit include counselling; designing and execution of special intervention projects; providing technical information and support to various Agencies that have to interface with victims (for example police, court, schools, hospitals); designing and implementing public education programmes; the recruitment, training and deployment of volunteers; coordination of programme administration; planning and execution of advocacy initiative; and the development of policy guidelines. Please refer to paragraph 181 of the Combined 6th and 7th CEDAW Report.

With regards to gender-sensitive interrogation and investigation methods, these do not apply to the VSU as their clientele are primarily provided with emotional support.

9. Please provide data on the number of reported cases of rape, prosecutions and on the sentences imposed on perpetrators since 2007. Please explain why marital rape is punishable only in a limited number of circumstances under the 2009 Sexual Offences Act (see report, paras. 70, 129, 178), i.e. when the spouses are separated, divorce proceedings are pending, a restraint order has been issued against the husband, or when the husband knowingly suffers from a sexually transmitted infection. Please clarify whether the safeguard clause in Section 13 (2) of the Charter of Fundamental Rights and Freedoms (Constitutional Amendment) Act (paras. 64-66 and 114) has the effect of precluding any amendments to the Sexual Offences Act.

Table 1
Number and types of crimes reported (R) and cleared up (C) 2007-2010

	2007		2008		2009		2010	
	R	C	R	C	R	C	R	C
Offences								
Rape and carnal abuse	1 106	625	1 459	672	1 273	596	1 206	592
Rape	679	345	849	316	672	—	979	347
Attempted rape			22	7				
Carnal abuse	427	280	610	356	503	—	938	330
Indecent assault	337	272	499	394			529	255
Incest	32	30	55	68			50	23
Buggery	83	56	92	63			77	28

* Rape and carnal abuse figures are separated where possible.

Table 2
Convictions for sexual offences 2007-2010

	<i>Sexual offences</i>	<i>Offences against the person</i>
2007	107	27
2008	131	74
2009	120	113
2010	85	110

The definition was arrived at as a matter of policy after extensive discussion and consultation and agreement as to the appropriate legal framework, and reflecting the appropriate balance between the need to prosecute someone for a serious offence while respecting the sanctity of the institution of marriage.

The safeguard in section 13 (2) does not preclude an amendment to the Sexual Offences Act or to any other Act of Parliament. While laws pre-existing the passage of the Charter of Rights, such as the Sexual Offences Act, are saved and cannot be held to be inconsistent with or in contravention of the Charter (section 13 (12)), such pre-existing laws can be amended at any time by an Act of Parliament. Where they are amended, however, such amendments must not be inconsistent with or contravene provisions of the Charter (section 13 (2) (b)). The Judicial Committee of the Privy Council ruled in 2004 that where a pre-existing law is amended, adapted or modified,² the amended or modified law must comply with the human rights protections guaranteed under Chapter III.³ By a similar token, where a pre-existing law is repealed, such a law can no longer be considered a pre-existing law and, if reintroduced for any reason by the legislature at a later date, would no longer be treated as saved under the savings clause and would, therefore, be open to challenge as being unconstitutional.⁴

Trafficking and exploitation of prostitution of women and girls

10. Please provide data, disaggregated by sex, age and nationality, on the number of reported cases of trafficking in persons, prosecutions, convictions and the sentences imposed on perpetrators since 2008. Please also provide detailed information on the measures taken to address widespread prostitution in the State party (see report, at para. 191).

² Except in the limited circumstances such as where the adaptation or modification is reproduced in identical form in any consolidation or revision of laws with only such adaptations or modifications as are necessary or expedient by reason of its inclusion in such consolidation or revision.

³ *Lambert Watson v R* [2004] 3 WLR 841.

⁴ *Pinder v the Queen* [2002] W.L.R. 1443.

Table 3
Number of reported cases of TIP since 2008

Year	Sex	Age	Nationality	Total
2008	Females	Not available	Jamaican	3
2009	NIL	NIL	NIL	NIL
2010	Females	Not available	◦ Jamaican	1
			◦ Panamanian	4
			◦ Guyanese	1
			◦ Dominican (Dominican Republic)	2
2011	Males	Not available	Indian	7

Below is a table showing persons charged under the *Trafficking in Persons (Prevention, Suppression and Punishment) Act, 2007* during the period 2008-2011.

Year	# persons charged	Offences charged under the TIP Act	Counts	Convictions
2008	1	◦ Trafficking in Persons	3	Pending, before the Court
		◦ Facilitating Trafficking Persons	3	Pending, before the Court
2010	3	◦ Trafficking in Persons	7	Pending, before the Court
		◦ Facilitating Trafficking in Person	7	Pending, before the Court
		◦ Withholding Travel Documents	4	Pending, before the Court
2011	1	◦ Trafficking in Persons	6	Pending, before the Court
		◦ Facilitating Trafficking in Persons	6	Pending, before the Court
Total	5		36	0

It is important to note that human trafficking cases may be prosecuted with the assistance of supporting legislation not indicated in the table above. They include, inter alia, the *Child Care and Protection Act, 2004*;⁵ the *Offences against the Person, 1864*; and the *Proceeds of Crime Act, 2007*; the *Cybercrime Act, 2010*; the *Child Pornography (Prevention) Act, 2010*.

The Organised Crime Investigation Division (OCID) is stepping up its efforts to combat the growing concern of the multibillion-dollar human-trafficking ring. On January 24, 2012, as part of an island-wide sensitisation exercise, the Jamaica Constabulary Force kicked off the first of a two-day seminar at OCID's Kingston office which is geared towards putting a serious dent in this criminal activity.

The cybercrime division will play a major part in efforts geared towards eliminating child pornography through the use of the social media, which is recognised as a powerful public education tool.

11. Please provide information on the progress achieved by the State party in establishing a shelter for victims of trafficking in persons, in particular women and girls. Please provide information on the measures in place in terms of

⁵ www.moj.gov.jm/laws/statutes/The%20Child%20Care%20and%20Protection%20Act.pdf.

protection, prevention and assistance, including rehabilitation and counselling services, for victims of trafficking, whether such services are State-funded, and whether NGOs providing support to victims of trafficking receive adequate funding from the State party. Please also provide information on the mandate, resources and annual budget of the National Task Force against Trafficking in Persons (see report, paras. 172-173).

State-owned TIP care shelter

The Government of Jamaica (GOJ) has been successful in establishing a State-owned TIP care shelter for victims, especially women and children. Although the shelter is ready for occupancy, it is not fully operational, as budgetary constraints have placed limitations on the engagement of the required human resource.

Notwithstanding this constraint, the Government of Jamaica (GOJ), with the assistance of a local Non-Governmental Organizations (NGOs) a member of the National Task Force against Trafficking in Persons (NATFATIP), provides care shelter services to all rescued TIP victims.

Protection, prevention and overall assistance

Further on the matter of protection, the Government of Jamaica provides secure shelter for rescued victims either in its own facilities or via alternative accommodation. The formal *Guidelines for the Operation of Care Shelters* has been established to guide the overall running of the TIP shelter and treatment of rescued victims.

A victim referral service also exists to afford a coordinated response to the needs of rescued victims, with a view to securing their protection, rehabilitation and ultimate reintegration. Services include: medical services; counselling and emotional support services through the Ministry of Justice's Victim Support Unit; legal representation; technical services, which assist in the provision of documents lost, for example; liaison with Embassies; interpreters; and repatriation of victims of trafficking to their home countries, if necessary.

Through the assistance of an NGO, the Government seeks to empower and reintegrate rescued victims through educational programmes, skills training, and employment avenues. The Ministry of Labour and Social Security also assists in identifying and placing victims in viable employment.

As regards investigative and prosecutorial efforts, a dedicated Trafficking in Persons (TIP) Unit exists within the Jamaica Constabulary Force (JCF), which conducts systematic monitoring through surveillance of entertainment venues and raids of such establishments, for example. In addition, a designated Special Prosecutor for human trafficking exists within the Office of the Director of Public Prosecution, who works closely with the JCF TIP Unit.

The established *Law enforcement Manual Guide to Investigation: Practicalities of the Trafficking in Persons (Prevention, Suppression and Punishment) Act, 2007* serves as the formal guide to proactive identification of victims of human trafficking for all relevant government officials, particularly law enforcement and immigration officials. This is fed into screenings conducted by customs officials, and the raids and surveillances of entertainment spots being carried out by the JCF TIP Unit. Additionally, the Ministry of National Security has developed a Risk-Assessment

instrument, which is being used at the major ports of entry to evaluate crime-related and health-related risks-monitoring human trafficking being an important aspect.

As regards prevention, the National Task Force has identified the need for continued sensitization and education of government officials. In an attempt to strengthen awareness and law enforcement/prosecutorial efforts, training/sensitization has been conducted by the Government, at times in collaboration with international partners such as the OAS and the IOM. Participants have included police officers, immigration and customs officials, members of the judiciary, prosecutors, other relevant civil service personnel, and members of the NGO community. Areas of concentration have included: international and local legislative framework on human trafficking; immigration standard operating procedures of entry and exit control; victim identification, assistance and protection; and ethical interviewing of victims of trafficking.

It is important to note that training ensued for relevant members of the criminal justice system and NGOs in respect of the developed *Law enforcement Manual Guide to Investigation: Practicalities of the Trafficking in Persons (Prevention, Suppression and Punishment) Act, 2007*, have seen the dissemination of approximately one thousand (1,000) copies of said manual. Relevant areas of coverage included, inter alia, the identification and treatment of victims. In addition, as part of its protection and prevention measures, the National Task Force recently trained operators of the Major Crimes toll-free hotline and officers of the Children's Registry in respect of managing TIP-related calls.

As part of its wider prevention/public education efforts, the National task force has drafted a comprehensive Communication Plan to guide the sensitization of the general public. Newspaper articles on human trafficking have been published to provide public education to a wide readership on human trafficking. It was noted that traffickers use a variety of recruitment methods to lure their victims.

The National Task Force's public education campaign has also concentrated on students at the high school/secondary level. Students have been engaged in a lively discussion regarding, inter alia, definition; most common forms of human trafficking that could affect Jamaica; profile of victims and perpetrators; as well as pull and push factors. Human trafficking was also integrated in other public education sessions on gender-based violence. Also, in collaboration with the Jamaica Library Service, presentations on human trafficking have been made to students and adults in libraries across the island.

The Secretariat for the National Task Force has also made presentations to the Jamaican Diaspora and at a local book launch for *Oral Testimonies of Jamaican Sex Workers* by Panos Caribbean.

NATFATIP: mandate and budget

The *National Task Force against Trafficking in Persons (NATFATIP)*, chaired by the Ministry of National Security, exists to coordinate, guide and implement national efforts against human trafficking. *NAFTATIP's* core emphasis is on the prevention and suppression of trafficking in persons, as well as the protection and provision of assistance to victims of trafficking.

There is no national budgetary allocation for TIP-related activities, as such, the Ministry of National Security, through the Organized Crime and Defence Unit, has

so far allocated funds in its budget to offset some of the costs associated with training, shelter provisions, and other activities. In the past, other government Ministries have assisted to a lesser extent. This is further complemented from financial assistance garnered from key international partners such as the International Organization for Migration (IOM), the Organization of America States (OAS), the United Nations Development Programme (UNDP), and the United States Embassy in Jamaica.

Participation in political and public life and decision-making

12. In light of the low number of women in Parliament, the Senate, women Ministers and women in leadership positions in the public service (see report, at paras. 195-196, 198), please explain why no significant progress has been made in establishing quotas for women's participation in political and public life (paras. 90 and 197).

The Government of Jamaica has taken measures to accelerate the representation of women in all branches and levels of government, in accordance with Article 7 of the Convention and its General Recommendation 23 on women in political and public life.

Consistent with the National Policy for Gender Equality (NPGE), the Government of Jamaica has approved the goal of 30 per cent of women appointed to the Senate through Temporary Special Measures to promote gender equality in leadership. It achieved this target percentage in the Government Senate in 2009. The Government also embraced this minimum percentage in respect of appointments to public boards and will continue to strengthen such representation with competent, experienced women.

Of the sixty-three (63) seats contested in the December 2011 General Elections, twenty-two (22) were contested by women. The Jamaica Labour Party had thirteen (13) female candidates while the People's National Party and the National Democratic Movement had six (6) and three (3) female candidates, respectively. Similar to the 2007 elections, eight (8) women won seats.

Currently, women represent 12.7 per cent of the members in Parliament, 20.0 per cent of the Cabinet, and 25 per cent of the Senate (See table 5). Of particular note is the fact that Jamaica's Prime Minister is a woman.

Table 5
Women in representational politics/government

<i>Position</i>	<i>Present</i>				<i>Total</i>
	<i>Male</i>		<i>Female</i>		
	<i>N</i>	<i>%</i>	<i>N</i>	<i>%</i>	
Cabinet	16	80.0%	4	20.0%	20
Senate	15	80.0%	5	25.0%	20
Members of Parliament	55	87.3%	8	12.7%	63

There is, however, room for further improvement and efforts continue to be made in this regard.

Education

13. Please indicate whether the State party is undertaking any research to explore the causes of the higher drop-out and repetition rates of girls compared to boys between grades 7 and 8 and 12 and 13 and whether it is exploring measures to address the discrepancy.

Table 6
Promotion, repetition and drop-out rates in public secondary level education by grade and sex 2008/2009

<i>Internal efficiency</i>	<i>Grade</i>				
	<i>7-8</i>	<i>8-9</i>	<i>9-10</i>	<i>10-11</i>	<i>11-12</i>
Indicators					
Promotion rates	98.6	109.5	—	89.2	—
Male	97.7	109.4	—	87.8	—
Female	99.6	109.6	—	90.7	—
Repetition rates	0.3	0.2	1.8	0.9	3.5
Male	0.4	0.4	2.5	1.3	4.7
Female	0.2	0.1	1.1	0.4	2.2
Drop-out rates	1.1	-9.8	—	9.9	—
Male	1.9	-9.8	—	10.9	—
Female	0.2	-9.8	—	8.9	—

Table 7
Promotion, repetition and drop-out rates in public secondary level education by grade and sex 2009/2010

<i>Internal efficiency</i>	<i>Grade</i>				
	<i>7-8</i>	<i>8-9</i>	<i>9-10</i>	<i>10-11</i>	<i>11-12</i>
Indicators					
Promotion rates	99.2	111.0	—	89.7	—
Male	98.1	111.0	—	88.7	—
Female	100.3	111.0	—	90.8	—
Repetition rates	0.3	0.2	1.5	1.0	3.6
Male	0.4	0.2	1.9	1.5	4.7
Female	0.2	0.2	1.1	0.6	2.5
Drop-out rates	0.6	-11.2	—	9.3	—
Male	1.5	-11.2	—	9.9	—
Female	-0.4	-11.3	—	8.7	—

Source: Statistics Unit, Ministry of Education.

From the tables above, it is clear that between grades 7 and 8, and 12 and 13, the drop-out and repetition rates are actually higher among boys in comparison to girls. While the drop-out rates between grades 7 and 8 are very low, the rates

between grades 12 and 13 appear significant. For the most part, this is not attributed to actual drop-outs from compulsory education as the Jamaican education system ensures that children are educated at least up to grade 11. They are high school graduates at this stage and tend to choose varying career/educational paths after grade 11. Many students apply to several other post-secondary and tertiary level institutions for further studies. If selected for these programmes they may choose to leave the grade 12/13 programme. Some may decide to join the workforce or migrate. In some instances, financial constraints and lack of interest in the grade 12/13 programme in which they are enrolled are factors that cause students to leave secondary school between these two grades.

To address problems associated with the primary and secondary level school curricula, which may be tangentially related to dropout rates, the MOE is planning to undertake an evaluation of the National Curriculum Policy and other Strategies implemented to ensure quality in education (Language, Numeracy and Modern Languages Strategies). The objectives of the consultancy are to evaluate the process, controls and thoroughness of procedures in place to ensure the quality and level of efficiency in the implementation of the strategies and the accountability measures in place to ensure their success; assess the effectiveness of the implementation of the strategies; and recommend changes at the policy and programme levels to address observed weaknesses in or challenges to successful implementation of the strategies. The Ministry of Education (MOE) has also been working towards retaining students within the education system up to tertiary level and to improving the quality of education.

A thorough research on the causes of drop-out rates between grades 12 and 13 will also be undertaken towards the ending of the 2011/2012 academic year.

14. Please provide information on the impact of the measures taken by the State party to promote the diversification of educational choices by encouraging women and men and girls and boys to choose non-traditional fields of education and training. Please provide updated statistical information in that regard, including with respect to women's participation in technical and vocational education and training.

Efforts continue to be made to promote the diversification of educational choices for women and men, as well as boys and girls. The Ministry of Education (MOE) under several programmes such as the Primary Education Support Project which began in 2001, the Reform of Secondary Education Project which began in 1993 and the Secondary School Enhancement Programme which was introduced in 2001, is working to address gender-based stereotypes in text books, school curricula and teaching methods. The overall objective is to modify the educational environment in order to allow boys and girls to select and pursue the subject areas of their choice. Women are now in fields traditionally dominated by men such as plumbing and pipe-fitting, construction, air-conditioning and refrigeration, welding as well as both electrical installation and maintenance. The MOE plans to intensify the incorporation of gender-sensitization training for pre- and in-service teachers.

At the secondary level, girls are increasingly studying subjects which are traditionally male-dominated. The statistics below (Table 8) illustrate the subjects at the Caribbean Secondary Examination Certificate (CSEC) level that tend to lead to careers that are either male or female dominated. The CSEC is a regional exam

administered in Jamaica and taken at the end of Grade 11 so that students can have the basic secondary school qualifications for higher levels of study and work.

Table 8
Caribbean secondary education certificate: total number of candidates sitting by sex — 2008/2009 & 2009/2010

<i>Subject</i>	<i>Sex</i>	<i>Number sitting 2008/2009</i>	<i>Number sitting 2009/2010</i>
Agriculture Science (Double Award)	M	136	193
	F	219	251
	T	355	444
Agriculture Science (Single Award)	M	828	1 002
	F	1 297	1 541
	T	2 125	2 543
Building Technology Construction	M	630	646
	F	63	81
	T	693	727
Building Technology Woods	M	782	894
	F	33	40
	T	815	934
Electronic Doc. Prep & Management	M	1 018	1 371
	F	2 311	3 218
	T	3 329	4 589
Electrical & Electronic Technology	M	1 838	1 995
	F	138	137
	T	1 976	2 132
Food & Nutrition	M	671	901
	F	4 066	4 294
	T	4 737	5 195
Clothing & Textiles	M	81	107
	F	1 345	1 266
	T	1 426	1 373
Home Economic Management	M	389	557
	F	3 036	3 161
	T	3 425	3 718
Information Technology (Technical)	M	5 627	5 164
	F	7 449	7 127
	T	13 076	12 291
Mechanical Engineering Technical	M	980	1 105
	F	31	34
	T	1 011	1 139

<i>Subject</i>	<i>Sex</i>	<i>Number sitting 2008/2009</i>	<i>Number sitting 2009/2010</i>
Technical Drawing	M	2 890	3 188
	F	300	360
	T	3 190	3 548
Physical Education & Sports	M	744	1 213
	F	687	947
	T	1 431	2 160
Theatre Arts	M	73	127
	F	238	384
	T	311	511
Principles of Business	M	4 165	4 519
	F	8 526	8 719
	T	12 691	13 238
Office Administration	M	1 999	2 270
	F	5 090	5 403
	T	7 089	7 673

Source: Statistics Unit, Ministry of Education, Jamaica.

As noted from the table above, more girls than boys actually sat exams in Agricultural Science, as there was an overall increase of 276 girls sitting the exams in 2009/2010 over the 2008/2009 period. Girls, therefore, are generally comfortable with entering the field of Agriculture at this stage. For Technical Drawing, there was a slightly higher representation of girls sitting the exams. Girls accounted for 9 per cent of the total (3,190) in 2008/2009 and 10 per cent of the total (3,548) in 2009/2010.

While there are some girls enrolling in building technology subjects as well as in electrical and electronic technology and mechanical engineering, these subjects remain highly dominated by males. For the Building Technology subjects, the gap between the number of boys and girls sitting the exams remains wide. Girls represented only 9 per cent of the total number (693) that sat the Construction exams in 2008/2009. In 2009/10 this increased slightly to 11 per cent of the total (727). There were even fewer girls sitting the Woods exams. Four per cent of the total number sitting (815) was girls in 2008/2009. For the 2009/2010 period, females also represented 4 per cent of the total number (934) sitting the Woods exam. The gap is also wide for Electrical & Electronic Technology, Mechanical Engineering Technical and Technical Drawing. Girls who sat Electrical & Electronic Technology represented 7 per cent of the total (1976) who sat in 2008/2009 and 6 per cent of the total (2,132) who sat in 2009/2010. Girls represented 3 per cent of the total who sat Mechanical Engineering Technical in both 2008/2009 (total of 1,011) and 2009/2010 (total of 1,139).

At the post-secondary level, which is offered by Community Colleges, the National Training Agency (HEART Trust/NTA), Academies and Vocational Training Centres as well as Community-based and other Special Programmes, there continues to be steady improvement in the number of women enrolled in training programmes. These institutions provide training to skilled and semi-skilled workers. Based on

data compiled by the different institutions in 2010, some 48,097 persons, of which 58.91 per cent were female, were trained in post secondary institutions.⁶ Categories of training in which women are becoming increasingly involved are computing; craftsmen, production process and operating personnel; and agricultural personnel. Women continue to dominate such categories as cooks, waiters and other hotel personnel; secretarial and other commercial personnel; and cosmetology. It should be noted that vocational institutions are now establishing quotas for young women to enter traditionally male dominated fields of study.

Tertiary level education is available for the development of the skills of professionals, senior officials and technicians for the labour market. Such programmes are offered at the various public and private Universities, teacher training institutions, nursing institutions as well as Community Colleges. Enrolment at the tertiary level was estimated at 68, 471 students, 41.6 per cent of which were females.⁷ Available data for 2010 also indicate that the output of tertiary institutions totalled 13,244, with females accounting for 71.6 per cent. Data for 2006/2007 suggest that women are ahead of their male counterparts in most areas of study, particularly in the fields of medicine, law and sciences.

Employment

15. Please provide additional information on the measures taken to address the low participation of women in the labour market, their high unemployment rate compared to that of men, and the horizontal and vertical segregation in the labour market, where women are concentrated in low-paid jobs and underrepresented in managerial positions, in particular in the private sector. (See report, at paras. 9, 74, 255-256 and 266-269.)

In an effort to increase female employment and address the concern raised by the Committee in respect of the disproportion in the levels of unemployment of women, special attention is being given to supporting businesses led and dominated by women in micro-economic enterprises through the strengthening and enhancement of skills in management, marketing, finance, product development, e-commerce and customer service.

Research also shows that most women in management positions in both the public and private sectors are clustered in the middle-management category and that females are still underrepresented in top positions, including Cabinet positions and on the Boards of Companies. To this end, steps are being taken through research on governance and educational reform to address certain underlying factors, including prevailing social and cultural attitudes, that contribute to the underrepresentation of women in high paying occupations and professions. Recently, the Government, in collaboration with the United Nations Democracy Fund, launched a project entitled *Strengthening Women's Leadership in Jamaica*. This is a training programme geared towards increasing, improving and consolidating the presence and influence of women serving on boards and commissions in Jamaica. It is a collaborative initiative involving the Bureau of Women's Affairs, the Institute of Gender and Development Studies, the Jamaica Women's Political Caucus and the corporate governance committee of the Private Sector Organization of Jamaica. The project

⁶ 2010 Economic and Social Survey of Jamaica.

⁷ Ibid.

will provide training for 100 women for leadership on Public and Private Sector Boards and Commissions; train 15 women at the grass-roots level to be community facilitators and to educate persons about the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW); establish a database of women able and willing to serve on boards and commissions; as well as examine management and corporate governance issues and the historical struggle for women's rights in Jamaica and the Caribbean. The training will be built around a rights-based approach to women's issues and will use the CEDAW as a guiding framework.

16. In light of the unequal distribution of family responsibilities (see report, at para. 262), please indicate:

(a) The progress made in introducing flexible work arrangements to facilitate the Reconciliation of work and family responsibilities (paras. 258, 261) and whether such Arrangements are also available to fathers;

(b) Whether the State party is planning to introduce special non-transferable paternity leave or parental leave that can be shared between the mother and the father.

A Paper on Flexible work times has been submitted to the Jamaican Parliament. The BWA remains actively engaged in the process and has recommended that consideration be given to the gendered elements of flexible work arrangements, including the differential patterns of employment and social responsibility between Jamaican men and women. While there is no official policy governing paternity leave, the latter is provided by some organizations such as Registrar General's Department and the Jamaica Bauxite Company. Males who are employed by the United Nations Country Team (UNCT) Group also benefit from this provision as the UNCT has this policy measure.

17. Please indicate the progress made by the State party in adopting legislation prohibiting sexual harassment at the workplace (see report, at paras. 76, 115 and 139).

A Draft Anti-Sexual Harassment Policy has been developed and the necessary discussions are to be undertaken with the new Minister of Justice to chart the way forward.

Health

18. Please provide information on the measures taken to reduce the high rate of teenage pregnancies, including by providing affordable access to contraceptives and by introducing education on sexual and reproductive health and rights in school curricula (see report, at paras. 93, 272, 284, 291), and to ensure that all women and girls have adequate access to sexual and reproductive health services (ibid., paras. 101, 103, 277 and 278), including women in rural areas and disabled women and girls. Please also indicate whether the State party considers amending Sections 72 and 73 of the Offences against the Person Act, with a view to decriminalizing abortion in certain cases and enabling women to avoid unwanted pregnancies without resorting to unsafe abortions (paras. 102, 281)?

The measures which have been taken to reduce the high rate of teenage pregnancies include comprehensive sexual and reproductive health information, education and communication programme through the National Family Planning Board which has adolescents as one of the main target groups. Their interventions include print and electronic educational messages on the menstrual cycle to facilitate better understanding of the body and the reproductive cycle including the fertile period. It also includes confidential telephone counseling services, outreach family planning services, radio drama series and televised talk show/ rap sessions especially for teenagers. The Emergency Contraceptive Pill is also made available through the health centres and pharmacies as a List 2 over the counter drug which facilitates access without a prescription. The adolescent fertility rate has reduced from 112/ 1,000 in 1997 to 71 /1,000 in 2008. The percentage of births to adolescents has also declined from 25 per cent in 1997 to 15 per cent in 2008.

All women and girls in both urban and rural settings as well as the disabled are also afforded access to quality reproductive health care through a network of some 320 public health centres and 18 public hospitals throughout the island. No facility is inaccessible as the transportation network is fairly good and they are in close proximity to where people live and work. These facilities provide family planning, antenatal, intrapartum and postpartum services. The services are provided in a confidential manner and without discrimination so the disabled are provided the same services as others. These services are provided free of cost to the user in the public sector. Services are also provided in the private sector so women have a choice of provider. There is a wide array of contraceptive method mix including condoms, oral contraceptive pills, injectibles, implants, IUDs and sterilization.

The Ministry of Education has also sought to:

- (a) Facilitate the training of school personnel in the implementation of the Health and Family Life Education (HFLE) Curriculum and, with assistance, has provided for the monitoring and supervision of its implementation in schools;
- (b) Complete the ‘Policy for the Reintegration of School Aged Mothers to the Formal School System’ with assistance from the UNFPA and in collaboration with the Women’s Centre Foundation of Jamaica. This Policy awaits Cabinet Submission;
- (c) Develop/review HFLE and HIV/AIDS Policies which await submissions to Cabinet.

It is to be noted that these efforts cover all students, including students in Independent Schools. The interventions and programmes are non-discriminatory and cater to individual needs as far as possible.

The Ministry of Education does not facilitate access to/distribution of contraceptives. However, both the HFLE and Guidance Programmes deal comprehensively with the educational aspect of sexual and reproductive health, so that students are knowledgeable about the types of contraceptives and how they are used as well as other issues related sexual and reproductive health.

Regarding amendments to Sections 72 and 73 of the Offences against the Person Act in relation to “decriminalizing abortions in certain cases and enabling women to avoid unwanted pregnancies without resorting to unsafe abortions”, a draft Bill was articulated by an Advisory Committee on Abortions and wide public

consultations on this Bill was conducted in 2010. The Parliamentary Sub-Committee which was convened to deliberate this draft Bill has not completed its work in relation to this matter and no decision regarding possible amendments to the existing legislation has been taken.

19. Please provide updated information on the impact of the measures taken by the State party to combat HIV/AIDS (see report, at paras. 283-292).

Jamaica has a strong National HIV/STI Programme (NHP), which has established a policy, strategic and monitoring and evaluation framework, including a research agenda. There has also been a long-standing programme for the control of sexually transmitted infections, including congenital syphilis. The NHP has demonstrated capacity for service delivery through the Regional Health Authorities (RHA) and public health facilities, meeting the gold standard of full integration in some regions. The NHP has also made several strategic investments to strengthen health care delivery, including a Waste Management Facility, laboratory infrastructure, and funding to the RHA for human resources, operations and infrastructure.

The NHP has succeeded in engaging a multi-sectoral response, including linkages with other government ministries, many NGOs, the private sector, as well as support to the National AIDS Committee. Participation of people living with HIV and vulnerable populations has also been achieved. The programme has also demonstrated capacity for mobilizing and managing significant external resources, with an accountability framework established with the RHAs and other implementers to respond to donor requirements and performance-based indicators on the milestones for projects. The NHP has solid relationships with development partners, such as the International Donor Group, the PEPFAR implementers group and the UN Theme Group on AIDS.

The revised behaviour change communication (BCC) strategy provides the framework for the prevention interventions in keeping with the following principles:

Focus on the most vulnerable populations: These are persons who are at an increased risk of HIV due to their social circumstances, their unsafe sexual behaviours, and who have the ability to affect the dynamics of the epidemic. These persons include MSM, SW, In-school youth, Out of school youths, Inmates, Homeless drug users, and individuals residing in low income high-prevalence communities as well as STI clinic attendees. Within all these populations there are sub groups that can be regarded as being at highest risk owing to their low income and limited access to social services. These socially marginalised persons are likely to engage in risky sexual behaviours in order to survive.

Key sectors partnerships: Partnerships that have been forged with the Ministries of Education, National Security, Labour and Tourism and other governmental agencies as well as a wide range of organizations and stakeholders including various private sector and NGOs must be maintained and strengthened.

Gender: Gender inequality and socially ascribed gender roles and behaviours contribute to increased vulnerability and risk to HIV for both women and men in Jamaica. Gender inequality and stereotypes affect the ability of men and boys, women and girls to access HIV, health and social services.

Civil Society involvement: A tenet of the prevention strategy is the involvement of civil society and multiple sectors. government ministries have also been involved in the HIV response through various programme officers but few have taken ownership of the HIV response in critical government sectors. Involvement has often been limited to HIV education for staff with few policy initiatives within sectors to provide an environment for sustaining safer sexual behaviours.

A wide range of civil society organizations and stakeholders have been involved in the prevention response despite challenges of limited technical capacity and resources and sustainability of programmes. Some NGOs have provided access to persons most at risk who are hard to reach.

However, the response by civil society continues to be hampered by limited technical, financial and human capacity. Although some of these organizations have worked in HIV prevention for decades, many are unable to scale up coverage due to limited resources and over dependence on a single source of funding. Involvement of civil society must continue to expand and be strengthened.

BCC skills building: The prevention strategies have evolved from provision of information on HIV to an increased emphasis on engaging the most at risk populations in risk reduction conversations. This shift reinforces the need for building BCC skills of HIV prevention practitioners within the national programme, civil society and its other partners. This involves the standardization of approaches and improved monitoring for quality of interventions as well as initiatives to develop a minimum package of services for key populations.

Key interventions 2007-2012

Priority programme area — enabling environment and human rights

An enabling environment comprises a set of interrelated conditions such as legal, policy, bureaucratic, political, social and cultural which together reduce vulnerability to HIV and other diseases, promote a healthy responsible lifestyle and facilitate access to services in a sustained and effective manner. The Enabling Environment and Human Rights component of the National HIV/STI Programme seeks to strengthen the legislative, policy and advocacy environments of the national response through the development and/or amendment of laws and policies and supporting structures which help to create an environment in which the risk of becoming HIV infected is reduced and persons living with and affected by HIV can access treatment, care and support services without fear of stigma or discrimination.

During the 2007-2012 National Strategic Plan, several policy and legislative changes occurred which sought to create a more supportive environment. These include policies that directly relate to HIV as well as policies and legislation that do not directly refer to HIV. In respect of HIV the National HIV/AIDS Workplace policy was adopted by Parliament in 2010, and implemented through the workplace policy programme. Those changes that do not directly refer to HIV include the National Policy for Gender Equality which was adopted by Cabinet in 2011.

Achievements

- At the beginning of the Strategic Planning period 2007-2012, 70 large private sector companies had participated in workplace sensitisation and training efforts, with 37 having adopted workplace policies on HIV/AIDS. In 2011, over 220 large private sector companies were reached through the HIV Workplace Programme. Of that number more than 160 had adopted workplace policies and/or action plans. All government ministries and agencies have adopted HIV/AIDS workplace policies.
- Roll-out of the Voluntary Compliance Programme in the Ministry of Labour which includes audits of companies for compliance with the national HIV/AIDS Workplace policy and in preparation for the passage of the Occupational Safety Act and HIV Regulations.
- In 2010 both Houses of Parliament approved the National HIV/AIDS Workplace Policy.
- Final HIV regulations based on the 10 ILO principles on HIV and AIDS and the world of work were drafted. These regulations will give legislative effect to the National HIV/AIDS Workplace Policy and among other things will require private and public sector entities to adopt and implement policies within the workplace to address issues related to HIV and AIDS. These regulations will be appended to the Occupational Safety and Health Act.
- Registration of the Jamaica Business Council on HIV/AIDS and the establishment of the JaBCHA National Foundation in 2010. JaBCHA through the Foundation which will take the lead in mobilising private sector resources to support the national response to HIV and AIDS.
- In May 2011 Cabinet Submission on the amendment to the Public Health (Notifiable Diseases) Order was prepared for submission to Parliament.
- In May 2011 documents recommending the repeal of the Venereal Diseases Act were sent to the Ministry of Justice for action.
- A Multi-sectoral Advisory Group was established to oversee the development and integration of the system to document reports of HIV related discrimination and effect redress. The system was further activated with the establishment of a team to manage cases and a cadre of 10 persons was trained as investigators.
- On November 30, 2007 the former Prime Minister, Honourable Bruce Golding, and Dr. Fenton Ferguson, on behalf of the Opposition People's National Party, signed forms in commitment to HIV/AIDS leadership advocacy including HIV/AIDS within the workplace. This commitment has bolstered the adoption of workplace policies within the private and public sector and propelled the passage of the national policy on HIV/AIDS.
- On April 29, 2011 the then Prime Minister, Honourable Bruce Golding and the then leader of the Opposition, the Most Honourable Portia Simpson Miller signed a Declaration of Commitment to eliminate stigma and discrimination and gender inequality affecting the HIV response in Jamaica. It is expected that this Declaration will also provide leverage for the passage of necessary policy and legislation to action to address HIV related stigma and discrimination and gender inequality.

- Over 1,130,000 HIV tests have been performed over the past 5 years.
- Approximately 23,000 CD4, 7,000 Viral Load and 1,300 DNA-PCR tests were conducted during 2009 and 2010.
- Currently, DNA-PCR, CD4 and viral load testing are available free of cost.
- Voluntary counselling and testing sites have been established in all major health centres with over 95% of relevant staff (Contact Investigators, Social Workers, Public Health Nurses, etc.) trained in the VCT protocol.
- HIV rapid testing is operational in most peripheral clinics allowing same day results in some instances.
- Provider initiated testing (PITC) has been introduced at all hospitals.
- HIV testing is decentralized with each region having the ability to carry out HIV screening and confirmatory testing without having to send samples centrally to the National Public Health Laboratory (NPHL).
- CD4 testing facilities have been established in Kingston at the National Public Health Laboratory and in St. James at the Cornwall Regional Hospital. On site CD4 testing has being piloted at three (3) treatment sites and is slated for roll-out to selected treatment sites.
- Viral load testing has been established at the National Public Health Laboratory.
- DNA-PCR testing is provided for infants of HIV positive mothers allowing for early diagnosis and treatment of paediatric HIV/AIDS.

Medical management

- More than 8,000 adults and children are on High Active Anti-Retroviral Treatment (HAART) in accordance with national guidelines (2010).
- Twenty-three (23) treatment sites (paediatric and adult) were established across the island with trained team of providers in each facility.
- Guidelines for the clinical management of HIV/AIDS were developed (3rd edition being developed at the time of writing).
- HIV management has been integrated into the primary health care system.
- Several training programmes have been conducted for all categories of health care workers (including Pharmacists, Doctors, Nurses, Social Workers Contact Investigators, and Adherence Counsellors) in clinical management of HIV/AIDS.
- The Annual HIV/AIDS Clinical Management Workshop has been institutionalised through the Caribbean HIV/AIDS Regional Training Network.

Disadvantaged groups of women

20. Please clarify whether the State party has suspended the forcible return of Haitian refugees, including women and girls, and whether effective mechanisms are in place to ensure the identification of women and girls with special needs or particular vulnerabilities, such as pregnant or lactating women,

unaccompanied children, older women and young single women at heightened risk of sexual exploitation, and to mitigate the protection risks or humanitarian needs of those refugees prior to any forcible returns.

Jamaica has never forcibly removed refugees. In fact, the records show that in all instances where we have received an influx of economic migrants from Haiti particularly after the major earthquake in January 2011 major multi-state agencies were made to provide accommodation, medical processing and humane repatriation to all concerned.

The Government of Jamaica has taken steps to develop a Refugee Policy which was approved by Cabinet in 2009 and a further operational policy was also developed to ensure that all of the operational tenets of the Refugee Policy and the various Conventions are executed. Embedded in this operational policy are stipulations which aim to protect the welfare of all vulnerable groups.

Marriage and family relations

21. Please explain why the State party has not implemented the Committee's recommendation to raise without delay the minimum age of marriage to 18 years for both girls and boys (CEDAW/C/JAM/CO/5, at para. 40).

No decision has been taken by the Government of Jamaica to raise the minimum age of marriage.

2008 RHS methodology

Table 9

Sample characteristics, Jamaica Reproductive Health Survey 2008

Characteristic	Women 15-49			Men 15-24			Kingston	Kingston
	Total	Other urban	Rural	Total	Other urban	Rural		
Total								
Age group								
15-19	18.4	15.5	20.3	59.2	60.2	60.3	19.6	53.4
20-24	16.3	16.5	16.1	40.8	39.8	39.7	16.1	46.6
25-29	15.8	16.5	15.2	—	—	—	15.8	—
30-34	15.2	17.1	14.7	—	—	—	12.8	—
35-39	14.3	13.1	13.9	—	—	—	17.2	—
40-44	11.6	12.5	11.5	—	—	—	10.3	—
45-49	8.5	8.8	8.3	—	—	—	8.2	—
Current relationship status								
Married	14.8	16.1	14.9	0.3	0.6	0.1	12.2	0.1
Common law union	22.5	22.8	22.8	5.1	6.4	4.6	21.4	4
Visiting relationship	31.2	30.5	29.8	20.7	19.7	19.8	35.5	25.9

<i>Characteristic</i>	<i>Women 15-49</i>			<i>Men 15-24</i>			<i>Kingston</i>	<i>Kingston</i>
	<i>Total</i>	<i>Other urban</i>	<i>Rural</i>	<i>Total</i>	<i>Other urban</i>	<i>Rural</i>		
Boyfriend with sex	3.6	2.5	4.2	29.9	26.5	28.4	4.2	41.9
Boyfriend without sex	3.1	3.0	3.2	15.6	17.4	15.4	2.9	12.7
No steady relationship	24.9	25.1	25.1	28.4	29.4	31.7	23.9	15.4
Education level (in years)								
0-9	22.7	20.3	28.8	24.1	22.2	27.6	14.4	16.4
10-12	63.7	61.1	61.4	70.6	71.3	68.7	73.3	75.6
13 or more	13.6	61.4	9.9	5.2	6.5	3.6	12.4	8.0