



**Convention on the Elimination  
of All Forms of Discrimination  
against Women**

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**Committee on the Elimination of Discrimination  
against Women**

**Consideration of reports submitted by States parties under  
article 18 of the Convention on the Elimination of All Forms  
of Discrimination against Women**

**Combined sixth and seventh periodic report of States parties**

**Jamaica\***

**JAMAICA'S**

**COMBINED SIXTH & SEVENTH**

**PERIODIC REPORT**

**Under the Convention on the elimination of all forms of discrimination against women**

**JANUARY 2003 - SEPTEMBER 2009**

**Prepared by the Bureau of Women's Affairs - July 2010**

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\* The present report is being issued without formal editing.

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## EXECUTIVE SUMMARY

The **Combined Sixth and Seventh Periodic Report** covers the review period **January 2003 to September 2009** in fulfillment of obligations under Article 18.

The **Combined Sixth and Seventh Periodic Report** conforms to the guidelines for preparation of periodic reports and provides information on the measures taken to implement the **Beijing Declaration and Platform for Action**, as well as the **Millennium Development Goals (MDGs)**. In this regard, the Report includes data concerning the monitoring of Jamaica's progress towards the implementation and reinforcement of the provisions under the Convention to enable women to enjoy their human rights.

The Report is structured in three parts. Part I provides an introductory overview of the national status of women in Jamaica. Part II outlines the responses to the Concluding Comments and Part III provides a review of the legislative, administrative and other measures adopted by the **Government of Jamaica** in collaboration with stakeholders from private sector, civil society, academia, and community and faith-based organizations, women's and non-governmental organisations to eliminate all forms of discrimination against women. The Report examines the sixteen (16) rights-based articles with special attention paid to the progress made since the submission of the Fifth Periodic Report.

During the period under review, the Government took several measures to address all forms of discrimination against women. These consist of legislative and policy measures, programmes, research and public education through sensitization and training.

In keeping with the critical areas of concern for women as outlined in international and regional agreements, the **Bureau of Women's Affairs (BWA/Bureau)** conducted research to determine the situational analysis of women and their progress in the following areas:

- **Women in Power & Decision-Making** which quantifies women's participation rate in the political arena and explores the barriers affecting their participation and selection.
- **Women in the Cooperative Movement** which explores women's participation in self-reliant organizations and the roles they play in their viability and success.
- **Women, Labour and Poverty** which investigates where women are located by jobs/sectors in the labour force, their access to basic amenities such as health care and the policies that are in place to safeguard their basic rights particularly as they relate to personal safety such as sexual harassment.
- **Education & Training** which investigates the employment rate of women and men and the impact of education on women's employment rate.
- **The Situation of Women in Rural Areas** which traces the national action to implement UNGA Resolution 60/138 and includes measures to be taken to reverse the situation of rural women in a number of socio-economic areas where they are extremely vulnerable, especially to poverty.
- **The Social and Legislative Protection of Women** which broadens the information on the current social and legislative trends in Jamaica in the areas of politics, healthcare, education, migration and employment.
- **Trafficking in Persons** which explores the scope of trafficking in persons in Jamaica especially among women and children.

## INTRODUCTION

The Government of Jamaica, as a state party to the Convention on the Elimination of All Forms of Discrimination Against Women submits its combined Sixth and Seventh Periodic Report, which covers the period from January 2003 to September 2009.

Since its 5<sup>th</sup> Periodic Report, Jamaica has made progress in relation to the status and condition of women in the country, in terms of legal reforms, public education, policies, programmes and activities carried out during the period. This Report reflects the current reality in Jamaica and highlights the actions taken as well as the obstacles encountered in the continuing efforts towards eliminating gender-based discrimination.

The BWA sustained communication with ministries, departments and agencies (MDAs) and other units of selected organisations throughout the preparation of the **Report**. 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 Jamaican Representative to the CEDAW Committee, the Executive Director & Senior Staff of the Bureau of Women's (Gender) Affairs, 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 a member of a non-governmental organisation (NGO) who also represented rural women. 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 disseminated among the membership of the **CEDAW Technical Working Committee**, to MDAs, women's NGOs, partners and other key stakeholders.

## JAMAICA: DEMOGRAPHIC AND SOCIO - ECONOMIC CONTEXT

### Situational Analysis

#### Population

1. Statistics indicated that the Jamaican population grew by 2.3 per cent between 2003 and 2008 with an estimated population of 2,692,400 by the end of the year<sup>1</sup>. The estimated births and deaths in the population were 44,800 and 17,000 respectively which is reflective of a natural increase of 27,800. Net external movements of 17,500 continued to have significant impact on the population growth with migration to North America and the UK increasing over the period.

2. Jamaica is at an intermediate stage of demographic transition which is reflected in the changing structure of the population. There is a declining 0-14 age group, an increasing working age population (15-64) and a dependent elderly age group (65+), with the latter becoming the largest growing segment of the population. The changes in the size of the population are attributable to factors such as movement in fertility and mortality rates and external migration.

3. During the period 2003-2009, the mortality rate was mainly influenced by deaths due to a range of factors including lifestyle diseases, traffic accidents, homicides and AIDS-related illnesses. The sex disaggregation of the population has been the same since 2004 with 97.1 per cent males per 100 females. In 2008 for example males accounted for 1,326,900 (49.3 per cent) and females 1,365,500 (50.7 per cent).

4. During the period 2003-2009, the statistics for the total elderly population (60+) indicate a higher survival rate for women as opposed to men. In 2008 for example, this elderly population grew to 11 per cent of the population in comparison with 10.8 per cent in the previous year.

5. The qualitative dimension of poverty remained largely unchanged whereby the poorest 2 per cent of the population (quintile) account for 6 per cent of national consumption and the wealthiest quintile for 45 per cent. There is no evidence of redistributive effects of economic resources between quintiles over the review period and beyond.

6. The framework for the monitoring of poverty endorses the integration of poor women as a vulnerable group into productive employment as a sustainable development impetus. It seeks to maximize their contribution to national development.

#### Economic Situation

7. During the period 2003-2008, real Gross Domestic Product (GDP) for the Jamaican economy reflected an average increase of 2.0 per cent<sup>2</sup>. The economy was negatively affected by various factors throughout the year. The country suffered from damage done by Hurricane Ivan in 2004.

8. Between the period 2003- June 2009, there were fluctuations in the economy. For July-December 2008 for example, the economy registered further contraction, declining by 0.8 per cent relative to the corresponding period of 2007. The economy operated in the context of heightened uncertainty in the international economic environment.

<sup>1</sup>Economic & Social Survey Jamaica (ESSJ) 2003 & 2008 (Table 20.1 ESSJ 2008)- Planning Institute of Jamaica

<sup>2</sup> (ESSJ) 2003 & 2008 (Table 5.2 ESSJ 2008)- Planning Institute of Jamaica

9. There was an overall increase in the labour force over the period 2003-2009. In 2008 for example there was a 1.5 per cent increase. In the same year, the male labour force participation rate was 73.8 per cent while the female rate was 57.5 per cent and correspondingly, the number of employed persons increased by 0.6 per cent. Correspondingly, there was an increase of 11,100 employed females and a decline of 4,800 males. A 2008 study on women's participation in the labour force revealed that more women entered the labour force.<sup>3</sup> The average unemployment rate was 10.6 per cent with the male unemployment rate being 7.3 per cent and the female rate being 14.6 per cent, which is twice that of males.

### **Political Situation**

10. Jamaica is a democratic country with two major political parties, namely the Jamaica Labour Party (JLP) and the People's National Party (PNP). Since the last CEDAW Report, Jamaica has seen a change in government with the PNP demitting office after 18 years and the JLP taking office in late 2007. Both major political parties continue to commit to gender equality and the elimination of all forms of discrimination against women.

### **Social Development, Planning and Welfare**

11. The period 2003-2009 witnessed increased focus on improving social development and welfare programmes; coordination and service delivery. A number of interventions were implemented through partnerships and involved the principal agencies at the national level; the Jamaica Social Investment Fund (JSIF), the Social Development Commission (SDC), the National Environment and Planning Agency (NEPA) and the Planning Institute of Jamaica (PIOJ). The Ministry of Labour & Social Security is the main institution which coordinates the provision of social benefits to vulnerable persons. The year 2009 was filled with many challenges due to the global economy, weaknesses in the economy and society as well as the realities of achieving structural change in the short term<sup>4</sup>.

12. The major focus in the provision of social services was the creation and strengthening of enabling legislative and regulatory environments, to protect the most vulnerable groups including women and girls through the involvement of several stakeholders, non-governmental organisations (NGOs), the private sector, faith-based groups, academia, and international development partners (IDPs) which provided funding and technical support.

13. The Government instituted several measures to combat and reduce crime and violence in the society, maintain law and order, improve the administration and delivery of justice and ensure access to the justice system. Recommendations made in the National Crime Plan were put in place to achieve these goals. As such during the year attempts were made to adjust and refine the national crime strategy to respond more effectively to criminal activity. A policy directorate was established in the Ministry of National Security to provide a more analytical broad-based approach to address the country's crime problem and a result, in 2009, the clear-up rates for major crimes and murder declined to 22.5 per cent and 28.8 per cent, respectively<sup>5</sup>

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<sup>3</sup> Labour Force Survey 2008- STATIN (Financial Gleaner, 2009. 9. 3- See para.265)

<sup>4</sup> *Economic & Social Survey Jamaica, 2009 (p. XIV)- Planning Institute of Jamaica*

<sup>5</sup> *Economic & Social Survey Jamaica, 2009 (p.XIII) - Planning Institute of Jamaica*

14. Violence against women is recognised as a public health concern and as such the Ministry of Health formulated a monitoring mechanism referred to as the Jamaica Injury Surveillance System (JIIS) to detect violence-related injuries (VRI's). The data is collected and further disaggregated by sex in keeping with the recommendations of the CEDAW Committee.

15. Several initiatives were undertaken to provide protection against discrimination; gender inequality and violation of human rights. These include legal reform to review and amend legislation in keeping with national, regional and international standards. In addition, new pieces of legislation have been introduced to provide more comprehensive protection and redress under the law.

16. The major focus for the period 2003-2009 was promoting access and quality in educational delivery. This included the extension of the transformation process, infrastructural development, capacity building in school leadership and implementation of new policy directives to improve educational delivery<sup>6</sup>. In 2003, for example the priority issue for the education and training system was Early Childhood Education (ECE) with increased spending on the improvement of Basic Schools. A consensus on education was incorporated into a five year plan to include increased expenditure, improvement in teacher quality and a shifting of resources.

17. The Government sought to improve access to public health facilities through the removal of user fees as a major initiative at all public health facilities except the University Hospital of the West Indies. Under this new policy, services provided in the public health system such as registration, surgeries, diagnostic services (e.g. laboratory, x-rays), medication, hospital stay and doctors' care are free of charge to minors effective, May 28, 2007. In April 2008, user fees were removed for all persons over the age of eighteen years at all public health facilities, except the University Hospital of the West Indies.

18. For additional information on the socio-economic situation in Jamaica, the Committee may wish to consult the Economic and Social Survey of Jamaica (2003- 2009) prepared by the Planning Institute of Jamaica.

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<sup>6</sup> *Economic & Social Survey Jamaica, 2008 & 2009- Planning Institute of Jamaica*

## PART II

### RESPONSES TO THE CONCLUDING COMMENTS OF THE 5TH PERIODIC REPORT

19. The Committee in considering the **Fifth Periodic Report of Jamaica** (CEDAW/CJ/JAM5) commended Jamaica for several positive aspects, as well as outlined principal areas of concern and made recommendations. In compliance with the Committee's request, Jamaica wishes to respond to the concerns expressed as well as recommendations in the present Concluding Comments under Article 18 of the Convention. The responses to these concerns as outlined by the Committee are detailed below for consideration.

#### **Principal areas of concerns and recommendations**

##### **Dissemination of the Concluding Comments**

20. The Committee requested that the concerns raised in the **Concluding Comments** be given priority attention and recommended that Jamaica focus on those areas in its implementation activities. It further called on Jamaica to submit the present **Concluding Comments** to all relevant ministries and to Parliament so as to ensure their full implementation.

In response to this, it should be noted that immediately after the **Concluding Comments** were received, the **BWA** provided copies of the document to a wide cross section of the population. Some of the recipients include:

- The Minister with Responsibility for Women's Affairs and Gender Issues
- Houses of Parliament – House of Representatives & Senate
- Ministry of Foreign Affairs and Foreign Trade
- Ministry of Justice
- Office of the Chief Justice of Jamaica
- Office of the Director of Public Prosecutions
- Office of the Public Defender
- Office of the Children's Advocate
- Ministry of Health
- Ministry of Labour & Social Security
- Ministry of Education
- Other ministries, departments and agencies (MDAs)
- Planning Institute of Jamaica (PIOJ) & the Statistical Institute of Jamaica (STATIN)
- Women's organizations, human rights & other special interest groups
- Non-governmental, community-based, and faith-based organizations

21. In order to **effect wide scale dissemination of the present Concluding Comments and recommendations of the CEDAW Committee**, the Minister with responsibility for Women's Affairs



and Gender Issues presented the **Concluding Comments** to Parliament in the form of a **Statement in observance of International Day for the Elimination of Violence Against Women (IDEVAW)** in November 2007. Copies of the Convention, the Concluding Comments to the Fifth Periodic Report and CEDAW brochures developed by the BWA were distributed to all Members of Parliament including the Prime Minister and the Leader of Opposition as well as other persons present. The special sitting of **Parliament** was attended by the Executive Director and representatives of the BWA staff, as well as by members of women's non-governmental organizations (NGOs) to support the Minister and the reading of the **Statement** and to ensure that the human rights of women and girls are fully protected.

22. The BWA in collaboration with several international partners and other key stakeholders conducted a series of seminars with regards to International Conventions on Women's Rights for Resident Magistrates, and other government officials. Participants were sensitized on conventions treaties and agreements which focus on women's human rights namely **CEDAW** and the **Inter-American Convention on the Prevention, Punishment, and Eradication of Violence Against Women (Belem do Para Convention)**. The Committee's concerns and recommendations which directly relate to the judicial field were highlighted. Presentations were also made by the Attorney General's Chambers on the importance and impact of international conventions on domestic laws relating to Jamaica. Additionally, presentations included the importance of international human rights conventions and treaties and their relevance to specific cases in the courts.

23. Public education also included the publishing of weekly articles in the All Woman Magazine of the Daily Observer as well as the Flair Magazine of the Daily Gleaner during the period, June to November 2007. The articles were rights-based in approach and highlighted the **sixteen articles under the Convention** as well as specific recommendation(s) of the CEDAW Committee. The publications also tracked the progress made since the submission of the Fifth Periodic Report and highlighted the future plans towards the implementation of the Convention. The BWA embarked on a **CEDAW sensitization** beginning in August 2009 through the electronic network of the Ministry of Youth, Sports and Culture (MYSC) to provide **critical gender-sensitive CEDAW training and sensitization on gender-specific issues**.

24. Other awareness raising activities include public education on international human rights conventions, treaties and agreements including the **United Nations Declaration on the Elimination on All Forms of Violence against Women** and the **Inter-American Convention on the Prevention, Punishment, and Eradication of Violence Against Women (Belem do Para Convention)** as well as the production and dissemination of **brochures on Sexual Harassment**.

25. With regards to the **MDAs**, the BWA drew attention to the specific concerns and recommendations which relate to each organization in order to assist with the progress of the implementation of the Convention. The GOJ continues its efforts to widely disseminate and raise awareness about the Convention, in particular the meaning and scope of direct and indirect discrimination, and formal and substantive equality. National discussions continue in order to ensure that the concerns raised are integrated in policy documents and initiatives and other development plans and strategies such as Jamaica's Vision 2030 which is a long term National Development Plan that expires in 2030. New partnerships have been formed with several MDAs towards ensuring that obligations under the Convention and other international agreements on women's human rights are met.

### **Data Disaggregated by Sex**

26. With regards to the Committee's concern about the lack of, or limited availability of **data disaggregated by sex** in a number of areas of the Convention, it should be noted that while there are still gaps, the GOJ is committed to ensuring that the national statistical agencies responsible for planning national censuses and other social and economic surveys formulate questionnaires in such a way that data can be disaggregated according to sex, with regard to both absolute numbers and percentages. This is required to ensure that stakeholders can easily obtain information on the situation of women in the particular sector in which they are interested. Although there has been some improvement since the last reporting period, the systematic collection of comprehensive data disaggregated by sex and other measurable indicators to assess trends in the situation of women continues to be a challenge.

27. Efforts have been made to improve data collection in various sectors, such as the Ministry of Education, Ministry of Health, and the Ministry of Agriculture and Fisheries to collect some sex-disaggregated data which are being used to inform policy. Within the Ministry of Health, a monitoring mechanism known as the **Jamaica Injury Surveillance System (JISS)** was introduced to detect violence-related injuries (VRI's). The data is disaggregated by sex and monitors statistics on violence against women as a public health concern. Efforts are continuing to ensure that sex-disaggregated data are collected in other areas in order to monitor the status of women and men. In addition, **the National Family Planning Board** conducts **Reproductive Health Surveys** every five years to collect sex-disaggregated data on areas such as sexual behaviours, attitudes, self-perceptions and values of young adults.

28. In the Ministry of Agriculture and Fisheries, sex-disaggregated data is collected through the **Rural Agriculture Development Authority (RADA)** using the **Agricultural Business Information System (ABIS)**. This is a web based information system developed by **RADA** to provide information on crops, livestock and agricultural production, markets and stakeholders in order to support agriculture, provide information appropriate to boost the capacity and competitiveness of stakeholders (primarily farmers) and provide better measurement of capacity and performance to the Government of Jamaica.

29. Improvements have been made to the systematic collection of comprehensive data disaggregated by sex and of measurable indicators to assess trends in the situation of women and of progress towards women's de facto equality. More specifically, the **Planning Institute of Jamaica (PIOJ)** has been collecting some sex-disaggregated data which is collated and made available through annual and other publications. Improvements have been made to widen the categories or areas and to further integrate gender concerns in their annual publications, namely the Economic and Social Survey of Jamaica (ESSJ). In fact, a chapter on Human Development, Welfare and Culture includes reporting specifically on gender concerns and initiatives undertaken with regards to these areas.

30. The GOJ, through the PIOJ has embarked on a **national programme for the modernization of Jamaica Civil Registration and Vital Statistics System** under the general guidance of the Vital Statistics Commission (VSC) which was established in 2003. This is designed to ensure that Jamaica has an effective and efficient system to produce vital data and statistics that meet international standards and local requirements. An important element of the modernization programme is the

improved quality and timeliness of vital statistics through the enhancement of data collection mechanisms across the relevant ministries, departments and agencies (MDAs).

31. A feature of the **Civil Registration and Vital Statistics System** is the **Bedside Registration Programme** which was introduced in January 2007 to collect sex-disaggregated data on the particulars of all babies born in public health facilities. (Please see Article 9 for details). This new system was introduced to improve the collection of data across the relevant ministries, departments and agencies (MDAs) namely the national statistical agencies and departments- **Registrar General's Department (RGD), Statistical Institute of Jamaica (STATIN), Jamaica Constabulary Force (Statistics Division)** as well as the **Ministry of Health and Ministry of Justice**.

32. The BWA had discussions with STATIN in February 2008 and provided the **Concluding Comments outlining the stipulated guidelines as expressed by the Committee for the disaggregation of data as well as advised STATIN of the deficiencies in the data collection**. Copies of the relevant UN and CARICOM gender indicators were also provided to the Director General of STATIN for guidance. The discussions were geared towards formulating plans to facilitate collaborative efforts to improve the collection of sex-disaggregated data as well as the inclusion of gender-specific indicators required by the BWA to fulfill its reporting requirements. Further discussions are taking place to provide technical assistance towards meeting the requirements concerning sex-disaggregated data.

33. **The National Gender Task Force** was created by PIOJ to articulate the vision of gender equality into the National Development Plan 2030. The Task Force was multi-sectoral and one of the chief objectives was to improve the collection of sex-disaggregated statistics. The Jamaica 2015 Framework and Action Plan of the **Jamaica Social Policy Evaluation (JASPEV) process** formed part of the public sector reform initiative and is used as a guiding framework for the development and effective delivery of social policy in Jamaica up to 2015. In this regard, Vision 2030 Jamaica-National Development Plan is building on the work of the JASPEV project. This is consistent with the CARICOM Plan of Action 2005 and the Millennium Development Goals (2000-2015).

34. The **JASPEV** process includes a framework of seven national social policy goals and indicators as a basis for evaluating the progressive achievement of equity and sustainable development. Within this framework gender mainstreaming is endorsed as a strategy for achieving gender equality and sustainable national development. The **Jamaica Social Policy Research Database (JAMSPRED)** emanated from the **JASPEV** process and provides summary information or abstracts of social policies and is used to monitoring the progress of social policy goals in Jamaica.

35. In order to improve the collection of sex-disaggregated data, the BWA participated in a questionnaire activity with STATIN geared towards facilitating the comprehensive and broad-based collection and dissemination of data. The questionnaire also incorporated gender issues and viewed the collection of data disaggregated by sex and other measurable indicators as means to assess trends in the situation of women and progress towards women's de facto equality.

36. The BWA has also enlisted technical assistance from CIDA through the CUSO - VSO Programme in Jamaica, to enhance the collection of **sex-disaggregated data** by facilitating the recruitment of two officers, namely- Statistical Analyst and Case Management System Officer. The officers are being recruited to augment the BWA's statistical and case management systems. It is also intended to

increase the BWA's capacity to more effectively influence policy analysis and to meet local, regional and international requirements. This is also in keeping with the directive to increase collaboration with International Development Partners (IDPs) towards institutional strengthening and improved international relations.

37. Jamaica has been selected to participate in an inter-regional project towards “**Enhancing capacities to eradicate violence against women through networking of local knowledge communities**”. The project is coordinated by ECLAC in collaboration with four other Regional Commissions in addition to the UN Statistics Division for the Advancement of Women. Funding will be provided by the UN Development Account for the period 2009-2011 and a first coordinating meeting was held in Geneva in May 2009. This pilot project will enhance the **production of statistical data and indicators** of these forms of violence as well as knowledge sharing at the regional and inter-regional levels. In this regard, it will assist the BWA and STATIN to develop a core set of gender indicators and to facilitate the establishment of a Gender Equality Observatory through technical assistance, training and funding support to realize these goals.

38. In the establishment of a **Gender Equality Observatory**, Jamaica was selected among five other countries to be included in the project through funding by the Spanish Agency for International Development Cooperation (AECID) and the Ibero- American Secretariat SEGIB in collaboration with ECLAC. Activities include the generation of national studies on gender and gender-related indicators in the Caribbean. Training and technical support will be provided for the producers and users of the national statistics, including the national machineries for the advancement of women/promotion of gender equality. This will enhance the development of gender indicators and the collection of sex-disaggregated and other data in keeping with Jamaica's commitments under CEDAW and other conventions, agreements and treaties.

39. The **JamStats Secretariat** was established in January 2007, within the PIOJ, to facilitate the **maintenance of the database** as a primary source for the GOJ and an indispensable tool for monitoring international, regional and national goals on social and economic development. In November 2008, the GOJ through the national statistical agencies, (PIOJ & STATIN), in collaboration with the Ministry of Education (MOE) launched the JamStats (Jamaica Statistics) website along with the JamStats database and the MOE's EDUSTATS which together capture and maintain current information on some of Jamaica's most critical social, educational and economic indicators. This will also strengthen the collection of **sex-disaggregated data**.

40. Using the Devinfo software developed by the United Nations, STATIN and PIOJ, with support from UNICEF, Jamaica created a comprehensive database which allows for tracking of key development indicators. These databases will ultimately increase the access of women and girls to critical information and foster greater interaction and information flow among the target audience. As part of its mandate, the **JamStats Secretariat** is responsible to create at least three customized databases for different ministries and agencies. The Ministry of Education's (MOE) database was the first to be developed and features approximately 70 indicators and 277 data points across eight sub-sectors, including early childhood education.

41. The combined **JAMSTATS Website** and **EDUSTATS Database** supports statistical literature and national advocacy; stores data on benchmark progress of youth and women in the Caribbean including

information on HIV/AIDS, crime & violence, early pregnancy and child abuse among other variables and provides gender-specific information especially in areas of labour and employment.

### **Measures to address patriarchal attitudes and deep-rooted stereotypes**

42. In response to the Committee's concern regarding the **persistence of strong patriarchal attitudes and deep-rooted stereotypes**, it should be noted that consistent efforts have been made to reverse and eliminate the persistence of gender stereotyping, negative cultural attitudes and other practices which discriminate against women. In this regard, the Ministry of Education is constantly reviewing aspects of the curricula, textbooks and other materials to help eliminate the stereotyping of subjects/options.

43. The Bureau of Women's Affairs is also involved in **ongoing public education in the print and electronic media** as well as through various workshops, seminars and public fora in order to **challenge the existence of discriminatory patriarchal attitudes and stereotyping**. Several such sessions have been held on an ongoing basis in schools, communities, churches and with other groupings across the country. The print media include publications in newspapers such as The Daily Observer, The Daily Gleaner, The Sunday Herald and The News.

44. The **Vision 2030 National Development Plan** indicates the GOJ's commitment to foster collaboration through effective coordination among a wide range of stakeholders, in all sectors of society. Through this, the GOJ intends to create an enabling environment to transform and change stereotypes and discriminatory cultural values and practices, as well as ensure that women can enjoy all their rights under the Convention. This will also foster the implementation of a comprehensive strategy including clear goals and timetables, to modify or eliminate negative cultural practices and stereotypes that discriminate against women, in conformity with Articles 2(f) and 5(a) of the Convention.

45. In addition, the **National Transformation Programme (NTP)**, branded **Fresh Start Jamaica**, being spearheaded by the **Office of the Prime Minister**, was introduced to mobilize, coordinate and energize an ongoing process of positive behaviour change and renewal towards the achievement of personal behavioural change and change in family values. The Programme aims to transform and unite mass public perception and action concerning **National Core Values (NCVs)** and should effectively challenge the existence of negative attitudes which foster gender stereotyping and discrimination which is harmful to women and girls.

### **Measures to combat violence against women**

46. In response to the Committee's concern **regarding the legal system, training of criminal justice personnel and the lack of enforcement measures designed to combat violence against women**, the GOJ wishes the Committee to note that, although the National Plan of Action has not yet been finalized, and a strategy to combat and eradicate violence against women has yet been put in place, the GOJ is committed to giving priority attention to such a strategy. Awareness-raising sessions have been conducted, to include training and sensitization of several stakeholders, in particular, the judiciary, law enforcement officers and prosecutors, as well as teachers, health-care and social workers and the media, by the BWA and other partners as a part of the public education campaign.

47. Since this year, 2009, technical assistance has been provided by UNIFEM under the **Strengthening State Accountability Project** to carry out research on violence against women

(VAW). The research will identify the gaps where they exist. A **National Plan of Action on VAW/Gender-based Violence (GBV)** will be developed outlining a comprehensive strategy to address the issue. [Please see paragraphs 57-60 for information on the **National Policy for Gender Equality (NPGE)**]

48. Jamaica is further committed to **ensuring the implementation and effective enforcement of existing laws, and the priority passage and implementation of pending laws**. The GOJ continues to put measures in place, including gender-sensitive policies to combat prevailing gender-based stereotypes including violence against women. Jamaica is also committed to the establishment of an effective monitoring and evaluation mechanism so as to regularly assess the impact and effectiveness of law enforcement and programmes aimed at preventing and providing redress to victims of violence.

49. In response to the Committee's recommendation that **an invitation be extended to the Special Rapporteur on violence against women, its causes and consequences**, the Committee may wish to note that while Jamaica has not yet extended an invitation to the **Special Rapporteur on violence against women**, since the last report, the GOJ is presently contemplating the request.

50. Efforts have been advanced through the involvement of UN agencies, particularly the United Nations Development Fund for Women (UNIFEM) and the United Nations Population Fund (UNFPA), facilitated by the Director/Representative Sub-Regional Office of the Caribbean. **Extensive public education, training and sensitization of a wide cross-section of stakeholders by way of workshops, print and electronic media** have taken place.

51. The Bureau of Women's Affairs also utilizes the **commemoration of special days for women**, such as International Women's Day (IWD) on March 8 and International Day for the Elimination of Violence Against Women (IDEVAW) on November 25 annually to specially recognize women's contribution and the advancement of human rights and the **promotion of gender equality**. In addition, the GOJ remains committed to combating gender-based violence in particular as well as all other forms of violence.

52. In terms of legal reform towards the elimination of gender-based violence, recommendations from the Bureau of Women's Affairs include the **training in gender-sensitivity among justice system personnel** as well as the **development of protocols for the treatment of victims and vulnerable witnesses including women and children**.

#### **National Women's Machinery (NWM) to coordinate Implementation of the Convention**

53. With regards to **the national machinery**, strengthening has taken place in several areas to enable the NWM to **coordinate the effective implementation of the Convention**. In terms of staffing, during the period under review, several vacancies within the BWA were filled. In that regard, there was the appointment of the Executive Director and other existing vacancies in the areas of research, policy and community liaison were filled. This was designed to boost the Bureau's policy and data collection capacity as well as to increase the Bureau's outreach efforts especially at the community level. There was also the recruitment of new technical, administrative and support staff.

54. There was also the strategic recruitment of a Senior Policy Analyst and a **Male Desk** was established. The **Male Desk** will serve as a central point providing information on men's health and development, parenting as well as the role of men in the **elimination of gender-based violence**

among other issues. It will also provide Crisis Management Intervention services as well as facilitate referral and follow up. The **Male Desk** was also established to extend the Bureau's reach and provide opportunities to engage men in the gender discourse.

55. The **women's NGOs** continue to carry out their role in advancing the status of women primarily in the implementation of several plans, programmes and projects to **eliminate discrimination against women** despite their limited resources. These efforts include VAW, advocacy, public education and support of the enactment of new legislation and amendments to existing legislation to bring them in line with contemporary thinking. The BWA commends the women's NGOs for their continued efforts in this regard.

56. The BWA continues to improve the lives of women by boosting the leadership and **capacity building** of various women's groups. Assistance is also provided to women's groups in the form of **institutional strengthening** through Government's financial subventions in order to enable them to carry out their work as well as to foster greater collaboration and partnership among the BWA, women's groups, community groups and faith-based organizations. In addition to capacity- building and institutional strengthening, the BWA provides office space for a few women's and one men's NGOs to allow them to carry out their work effectively and further increase the partnership with the GOJ through the NWM. The BWA is also involved in **capacity-building** of women in urban and rural communities through the support and strengthening of leadership at the parish and community levels. These efforts are designed to assist the national machinery in the **advancement of gender equality and women's empowerment**.

### **Gender Mainstreaming Measures**

57. The GOJ remains committed to the principle of **gender mainstreaming** and is cognizant of the need to redress the negative imbalances which discriminate against women. While legislation has addressed some of these concerns, there still remain cultural and societal biases against women. The GOJ has sought to address these issues through policies, programmes and projects. In this regard, the GOJ will facilitate the completion and implementation of the recently-developed **National Policy for Gender Equality** and intends to proceed with the practical application without delay.

58. The **National Policy for Gender Equality** when adopted is intended to facilitate the **integration of a gender perspective** into all aspects of national plans, programmes, and legislation as a fully binding initiative and commitment. It will promote a gender approach and provide gender analysis that will be applied to all the activities within the public and private sector as well as civil society to address historical imbalances and to enable women in particular to fully participate in areas in which they were previously denied or restricted.

59. The **National Policy for Gender Equality** which is being spearheaded by the BWA was developed from widespread consultations among key stakeholders concerning a **national gender mainstreaming approach**. It promotes a multi-sectoral approach that will set the framework for a more comprehensive and coordinated approach to fully integrate gender in every area of national activity. The NPGE is geared towards achieving equal treatment for women and men through equal visibility, equality of opportunity, equal access to all resources, and equal participation in all areas of public and private life towards gender equality.

60. The Bureau will serve as facilitator and co-ordinator of the **Gender Advisory Council (GAC)** when established. It will comprise multi-sectoral membership and, serve as a catalyst and support to all ministries in the implementation of the **National Policy for Gender Equality**.

61. In preparation for implementation of the policy and in order to advance **Gender Mainstreaming**, the Government of Jamaica through the Bureau of Women's Affairs (BWA) has established **Gender Focal Points** in key government ministries and agencies to ensure that gender is integrated in all plans, policies, programmes, projects and operations to facilitate the gender equality framework on a day-to-day basis within an institutional structure. Currently, eighteen (18) **Gender Focal Points** have been established in MDAs. In addition, new nominations have been made regarding senior policy personnel in other MDAs to carry out this function. This will enhance the work of the national gender machinery in advancing the status of women.

62. The BWA has provided some of the **Gender Focal Points** with basic guidelines and relevant introductory information on gender issues and concepts in order to assist the MDAs to function effectively. Their duties include acting as responsibility centres as well as to improve organizational effectiveness and capacity within the public sector. In addition, the duties involve the development, implementation and monitoring of gender-sensitive policies, programmes, plans and projects. The **Gender Focal Points** also contribute to the coordination of critical information needed to fulfill local, regional and international requirements. This information is used as a monitoring and evaluation tool to assist the Bureau to effectively carry out its mandate and towards the achievement of **gender equality goals**.

63. The process of **gender mainstreaming** has not been a smooth one, but the Government of Jamaica remains committed to strengthening the national machinery to provide it with the necessary human and financial resources, authority, political and organizational mandate necessary to serve as a catalyst and to coordinate the implementation of the Convention and effective use of the **gender mainstreaming strategy** across all line ministries and sectors. In addition, plans are in place to monitor **systematically the impact of gender mainstreaming efforts**.

### **Review of Legislative Framework**

64. The GOJ is fully committed to utilizing the **ongoing legal review process** to ensure the expeditious **incorporation of the Convention's definition of discrimination**. Amendments have been made to Chapter 3 of the **Constitution** to provide for a **Charter of Fundamental Rights and Freedom Bill**. In recognition of the failure of Section 24 (3) of the **Constitution** to stipulate that laws which discriminate on the basis of sex are prohibited, the Charter seeks to prohibit gender discrimination.

65. Section 13 1 (b) of the **Charter of Fundamental Rights and Freedoms** prohibits all laws which are discriminatory in nature, whether on the basis of sex or whether the law is directly or indirectly discriminatory. Section 13 (1) (b) sets the tone for the interpretation of Chapter III of the **Charter** by stating that all persons in Jamaica are entitled to preserve for themselves and future generations, the fundamental rights and freedoms to which they are entitled by virtue of their inherent dignity as citizens of a free and democratic society.



66. The **Charter of Fundamental Rights and Freedoms** is presently being amended and subsequently a new Bill will be tabled in Parliament<sup>7</sup>.

67. Since the last **Report**, significant efforts have been made to close legislative gaps and enact laws to bring the country's legal framework fully into compliance with the provisions of the Convention. A new Bill, entitled the **Sexual Offences Bill**, was proposed to cover all forms of sexual offences. The Bill was passed in the Senate in July 2009 and was further passed in the **House of Representatives on September 15, 2009**.

68. (Paragraphs 128 & 129 in **Article 2** provide a full discussion on the enactment of new Bills in relation to Sexual Violence and Domestic Abuse)

69. The **Sexual Offences Act** will amend certain provisions of the **Offences Against the Person Act** to make new provisions for the prosecution of rape and other sexual offences. It will also repeal the **Incest (Punishment) Act** by establishing incest offences under the **Sexual Offences Act**, and will remove the age limitation on incest, thereby now allowing persons under age 16 to be guilty of incest where they willingly have sexual intercourse with a person in a consanguineal relationship *i.e.* related by descent.

70. The **Sexual Offences Act** will also establish the provision regarding marital rape. It abolishes the common law presumption that a boy under the age of fourteen years is incapable of committing rape. Changes have been made in the existing law relating to sexual history evidence, as the assumption, on which the law is based – that a woman who has had sexual intercourse outside of marriage is an unreliable and untruthful witness- is now generally regarded as unacceptable.

71. Concerning **equal pay for women and men**, there is no overt discrimination in pay for equal work done by women and men. Under the **Employment (Equal Pay for Men and Women) Act**<sup>8</sup>, workplaces are inspected on a regular basis. For the period January to March 2009 alone, over a thousand visits were conducted without any incidence of discrimination identified. There are challenges with regards to the enforcement of the **Employment (Equal Pay for Men and Women) Act**. This is due largely to the minimal fines which are charged for offences under the **Act**.

72. The **Ministry of Labour and Social Security** reported that organizations are now moving towards **performance based incentive programmes** where workers are assessed according to outputs that are predetermined and driven by objective factors to keep the organization profitable. This type of programme is geared towards ensuring that **pay disparity based on sex** will be eliminated. There is currently no legislation but public education is taking place to provide a legal perspective on this issue.

73. The Committee was also concerned about the lack of legislation prohibiting sexual harassment in the workplace, and the vulnerable situation of domestic workers who are entitled to receive maternity benefits under the National Insurance Scheme. Public Education is ongoing among Domestic Workers to provide sensitization and training on Sexual Harassment and to encourage them to contribute to the National Insurance Scheme (NIS) in order to qualify for maternity benefits. Under the **Ministry of Labour & Social Security** guidelines, employers are not allowed to discriminate against women in the labour market. Data collection is ongoing regarding the labour market, detailed

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<sup>7</sup> Houses of Parliament

<sup>8</sup> Ministry of Labour & Social Security- Annual Reports

by sector and disaggregated by sex. The Planning Institute of Jamaica (PIOJ) in collaboration with the Statistical Institute of Jamaica (STATIN) will facilitate an analysis of the **correlation between the high level of education attained by women and their situation in the workplace.**

74. **The Labour Market Information System (LMIS)** consists of three components: Labour Market Indicators, Labour Market Services and the Electronic Labour Exchange (ELE). The LMIS<sup>9</sup> website features an analysis of “hot jobs” in the labour market, based on vacancies advertised. Information compiled for the period Jan-Dec. 2008 indicate that 18 158 jobs were advertised during the period of which 8 677 were for Professionals, Senior Officials & Technicians; 3 581 for Service Workers and Shops and Market Sales Workers; 2 053 for Elementary Occupations and 1 879 for Clerks. Most of the job postings were for top and middle management positions including the highest postings for Director, Managers and Teachers.

**Table 1: The National Minimum Wage 2005-2008**

<i>EFFECTIVE</i>		
<i>DATE</i>	<i>WEEKLY</i>	<i>HOURLY</i>
January 31 ,2005	\$2, 400.00	\$60.00
January 30, 2006	\$2, 800.00	\$70.00
January 29,2007	\$3, 200.00	\$ 80.00
January 29, 2008	\$ 3, 700.00	\$ 92.50
May 11, 2009	\$ 4, 070.00	\$101.75

The table above indicates a steady increase in the pay structure for female workers who are in low-income jobs such as household/domestic workers.

75. Amendments were made to the **Minimum Wage Act**<sup>10</sup> to allow women to improve their financial status. The Bureau of Women’s Affairs participates in the **National Minimum Wage Advisory Commission** and makes recommendations regarding the appropriate minimum wage in terms of pay and conditions of work. In addition, the BWA provides **institutional strengthening** and support to the **Jamaica Household/Domestic Workers Association (JHWA) towards poverty reduction** as well as to advance organizational interests and to strengthen individual women at the grassroots level. The BWA has provided public education to **Household/Domestic Workers** concerning the benefits which are available to them under the **NIS** and the **National Housing Trust (NHT)**. (Please see Article 13 for more details.)

76. With regards to **sexual harassment**, the GOJ is currently taking steps to put in place legislation to address the issue and is developing a Draft **National Sexual Harassment Policy**. In addition, several

<sup>9</sup> Ministry of Labour and Social Security – See Economic and Social Survey of Jamaica (ESSJ), 2008; p. 21.14

<sup>10</sup> Ministry of National Security

workshops have been conducted to provide extensive public education among workers within the public sector as well as a few private sector organizations as a precursor to the legislation.

77. The GOJ is committed to the **repeal or amendment of all discriminatory legislative provisions without delay**. Plans are also in place to **close legislative gaps** and enact other laws necessary to bring the country's legal framework fully into compliance with the provisions of the Convention. In addition, a **Backlog Assessment Study** of criminal matters in the Supreme and Resident Magistrates' Courts was completed in order to reduce the backlog of cases and recommendations were made regarding the improvement of court facilities and the turn-over time of cases. Additional court rooms were also identified to assist in faster disposal of cases.

78. A major step has been taken to **reduce bottlenecks** in the legislative process by providing **improved and timely legislative drafting services**<sup>11</sup>. In this regard, the Ministry of Justice is moving towards strengthening the institutional capacity of the Office of the Parliamentary Counsel to ensure that timely drafting services are available to MDAs.

79. The agreement under the **Justice Undertakings for Social Transformation (JUST) Programme** aims to foster a sense of security among Jamaicans, by contributing to the enhancement of the justice system. The Canadian government, through the Canadian International Development Agency, has agreed to provide funding for this four-year project<sup>12</sup>.

80. Training and sensitization sessions have been conducted with members of the judiciary to **increase awareness of the Convention and to promote its use in the courts**. In addition, the BWA has also sponsored the training of a judicial officer - the Director/Principal of the Jamaica Training Institute at a recently held Inaugural Conference of the Caribbean Association of Judicial Officers in Trinidad & Tobago in the application of Human Rights Treaties in Caribbean domestic law. This is to allow for capacity-building in the Justice Training Institute and facilitate greater partnership with the BWA to continuously provide training to the judiciary on the use of the Convention in the domestic courts.

81. In order to increase **women's access to justice, the enforcement of rights and redress in the courts**, the GOJ has taken steps to ensure that gender sensitivity is an integral part of the education and training of judicial officers, including judges, lawyers, prosecutors and legal aid counsellors. This is necessary to establish a legal culture supportive of women's equality and non-discrimination. Special training sessions have been held concerning the interpretation and application of international conventions and treaties to domestic law to enhance women's awareness of their rights<sup>13</sup>.

82. The GOJ through the Bureau of Women's Affairs in collaboration with other key stakeholders has conducted two (2) workshops and has been engaged in ongoing sensitization and training geared towards sensitizing members of the justice system on international conventions and their relevance to the legal reform process. Awareness raising sessions have focused on international and regional instruments such as **the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)** and **the Inter-American Convention on the Prevention, Punishment and Eradication of Violence Against Women- Belem do Para**. Awareness raising was also done with

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<sup>11</sup> Office of the Chief Parliamentary Counsel

<sup>12</sup> 'Justice Ministry to address bottlenecks': Jamaica Gleaner- September 3, 2009 p. B9

<sup>13</sup> Ministry of Justice

respect to the **Child Care and Protection Act (CCPA)** in order to eliminate violence against the Girl Child.

83. Training through the **Ministry of Justice**, in particular, the **Norman Manley Law School** was geared towards providing public education on legal literacy towards the **expansion of legal assistance to women** wishing to bring claims of discrimination or other legal matters before the courts. In 2008, the **Justice Training Institute (JTI)** conducted 40 workshops and training courses for approximately 1,397 participants to include modules related to a wide range of areas including Cabinet Submissions; Trafficking in Persons (TIP); Victim Support and Court Management among others<sup>14</sup>.

84. Under the **Legal Aid Act**, legal aid is available to both men and women equally and women have access to legal services through the Legal Aid Council. Currently legal aid is only offered to those facing criminal charges. In addition the GOJ through the Legal Aid Clinic provides a pool of attorneys who are assigned to persons seeking legal redress or require other legal services.

85. At present, the need for legal aid services in non-criminal matters is primarily addressed by the **Legal Aid Clinics** in Kingston and Montego Bay as well as the **Norman Manley Law School**. In addition, pro bono services are offered by some NGOs, primarily the Independent Jamaican Council for Human Rights and private attorneys<sup>15</sup>. Plans are in train to expand the coverage regarding civil matters to increase the benefits available to women, especially poor and vulnerable women.

#### **Special Temporary Measures to address Discrimination Against Women**

86. **Special temporary measures** have been put in place to address discrimination against women as well as to accelerate the achievement of de facto equality of women and men under the **Social Safety Net Reform Programme**, the GOJ introduced a new project, the **Social Protection Project (SPP)**, as a short-term measure designed to place emphasis on job creation, income support, provide options for further skills training and increased involvement of women. The SPP was also designed to foster continued employment especially for women as heads of households through coordination with local government and other private and public sector organizations. The programme provides grants to assist minors, pregnant mothers, the elderly and persons living with disabilities to assist women and their families who are falling below the poverty line.

87. Additionally, the **Social Protection Project (SPP)** is intended to facilitate the formulation of a reform programme for the public sector pension scheme, as well as develop an overall holistic social protection programme for targeted stakeholders. The **Steps-to-Work Programme**, a component of the (SPP) aims to provide working age members of Programme of Advancement Through Health & Education (PATH), households, with opportunities to re-engage themselves with the labour force, through skills development, training, entrepreneurial activities and literacy. It is aimed at ensuring that persons seek and retain employment. In this regard, members of working age households are given an opportunity to link to specific State agencies that provide the services, as they relate to entrepreneurship, skills development training, and literacy.

88. Another special temporary measure, the **Lift Up Jamaica Programme** was instituted by the GOJ and provides employment for many persons in communities across Jamaica, especially women in the

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<sup>14</sup> Economic and Social Survey of Jamaica 2008 - Planning Institute of Jamaica. p. 24.20

<sup>15</sup> Jamaican Justice System Reform Task Force Report- May 2007 , p. 125

18-35 age cohorts. Under Phase Two, 1,396 women were involved in repairing, and upgrading of community centres and other buildings. Under the new **Beautification Programme**, many women were involved in beautification, maintenance and irrigation programmes for public parks.

### **Increasing Women's Participation in Public and Political Life**

89. During the review period, the GOJ increased the **participation of women in public and political life** at the highest levels of power and decision-making. This has been facilitated through the appointment of four (4) women at the highest level of the political and public life. In the legal profession, Jamaica witnessed the appointment of the **first female Attorney General and Minister of Justice** as well as **Chief Justice** and **Director of Public Prosecutions**. In 2009, Jamaica's **first female Chief of State Protocol** was appointed in the **Office of the Prime Minister**, with special oversight responsibility for all matters relating to protocol. Most women in positions of power and decision-making are represented at specific levels in top and middle management positions. As is the situation across the Caribbean region, females are still for the most part, largely absent from Boards and Commissions and still very few are represented in Parliament and Cabinet, the highest decision-making bodies of the land.

90. The GOJ will continue to provide financial and other support to women in order to increase their level of participation in public and political life at the highest levels of decision-making. With regards the **Parliamentary Resolution on the establishment of quotas**, there has been no significant shift since the last reporting period. The BWA will continue to monitor the progress and will provide an update at the earliest date. Collaboration between the **Jamaica Women's Political Caucus (JWPC)** and the BWA continues, in order to support their work as well as to encourage more women to aspire for leadership and increased participation in politics.

91. The BWA has conducted two small studies to ascertain barriers to women's participation in Guild of Undergraduates and other leadership positions at the UWI. The main findings were consistent with the gender stereotypes concerning women's low participation in leadership, politics and decision-making. Despite several efforts to increase the participation of women and girls in these areas, the influence of the socio-cultural factors continue to hinder students' participation rates in leadership at the level of the Guild of Undergraduates and other leadership positions in that institution. Follow up studies will be conducted with students in other tertiary level institutions to discover their perceptions concerning the barriers to participation in leadership and decision-making.

92. A recent study conducted in 2008 on **women's participation on Boards and Commissions** indicated that only 16 per cent of places on boards of publicly listed companies in the sample were occupied by women. In terms of membership, women occupied only 14 per cent. There are however, a higher percentage of men (64.1), than women (42.3) who reported serving on multiple boards.<sup>16</sup> The BWA is addressing this by targeting female students at the secondary level through public education, sensitization and training, in order to stimulate their interest in power and decision-making towards their participation in these areas.

<sup>16</sup> Watson Williams, Carol (2008) - Gender and Governance: Implications for the participation of Women on Boards and Commissions in Jamaica (The study was commissioned by a local NGO - **Women's Resource and Outreach Centre (WROC)**)

### **Public Education and Training**

93. The BWA conducts ongoing **public education and training** in selected schools in both urban and rural communities under the **Schools' Education Programme (SEP)**. Sessions are conducted on a range of topics including Gender concepts, Leadership & Self-esteem, Sexual & Reproductive Health and Rights to include HIV/AIDS, while establishing the link with Gender-based Violence. Under the **SEP**, several girls have received gender training to raise their awareness levels and build leadership skills. Sessions are also being conducted on Gender-based Violence to include Trafficking in Persons (TIP), domestic and sexual abuse.

94. The GOJ has put measures in place to address the **persistence of structural barriers such as de facto gender-based segregation in the field of education** primarily through increased focus on the existing gender disparities within the education system. Through extensive public education and training, collaborative efforts have been made to overcome expeditiously the de facto segregation in the education system. In this regard, a total of 71 primary schools now include a **gender component, strategy and gender sensitive curricula** to raise the literacy of girls and boys, particularly boys who have been underperforming. Boys who were lagging behind have now in some instances outdone girls overall in some of the primary level exams.

95. In relation to the concern regarding the **persistence of gender-based stereotypes** in textbooks, school curricula and teaching methods, the Ministry of Education (MOE) embarked on a **Reform of Education Programme** to modify the educational environment in order to allow boys and girls to select and pursue the subject areas of their choice. The MOE through the **revised curriculum facilitated the diversification of educational and professional choices** for boys and girls at the primary and secondary levels and women and men at the tertiary level. In addition, incentives are offered to females to pursue traditionally male dominated fields of study. The MOE plans to intensify the incorporation of gender-sensitive educational curricula and teaching methods to address the structural and cultural causes of discrimination against women and girls, and to incorporate gender sensitization training for pre- and in-service teachers.

### **Women's Health**

96. In response to the concern regarding the **differential and specific needs of women beyond obstetric and reproductive health**, Jamaica wishes to report that there are several health care facilities which provide services to meet the primary and secondary health care of women and girls. These include the network of 23 hospitals and over 350 health centres and specialized institutions which are geared towards meeting the sexual and reproductive health needs of women and their families.

97. The **Ministry of Health (MOH)** introduced a new programme branded **Health Service Delivery** which integrates Primary, Secondary and Tertiary Health Care to include **Health Promotion and Protection** as the national strategy to address priority health problems. These include specific health services *e.g.* HIV/STI Prevention Programme, hypertension and diabetes services.

98. In addition, research and reviews are conducted and surveillance mechanisms established to develop programme and interventions. These include co-operation and social marketing to develop individual and community responsibility for health. This includes the restructured **National Family Planning Board**. Other health care services include Disease Surveillance, Health Promotion and

Education, Environmental Health, Family Health Services, Mental Health and Substance Abuse, Diagnostic and Therapeutic Services as well as Public Health Services.

99. During intervention programmes carried out by the Ministry of Health and Sub-Recipients (SRs), under the **National HIV/STI Prevention and Control Programme**, in all 14 parishes, commercial sex workers (CSWs) and their clients along with adolescent girls were among the population identified as most at risk<sup>17</sup>. (Please see Article 12 for more details)

100. The implementation of the **Prevention of Mother –to-Child Transmission (PMTCT)** programme at all major hospitals and health centres commenced in 2004 and resulted in the testing of at least 90 per cent of pregnant women who attended antenatal clinics. In 2006 approximately 75 per cent of the HIV infected pregnant women and 85 per cent of HIV- exposed infants received antiretrovirals (ARVs) to prevent mother-to-child transmission. These interventions lead to a significant decrease in the vertical transmission of HIV. Screening for access to ARVs for HIV pregnant women is currently in place for 90 per cent of the public sector. Antenatal clinic attendees recorded a number of 28, 000 in 2004 when compared to 4, 000 in 2002 and more than 50 per cent of clinic attendees who were treated for sexually transmitted infections (STIs)<sup>18</sup>.

101. Statistics from the **Ministry of Health** reveal that **adolescent girls have access to reproductive health services**. In fact, between the period January and December 2008, adolescent girls accounted for 22.4 per cent of antenatal and 19.8 per cent of postnatal visits at the health centres across the island. Of new family planning acceptors, adolescents comprised 21.3 per cent with 23.5 girls choosing the pill, 23.6 per cent chose the injection, 19.1 chose the inter- uterine device (IUD), 15.8 per cent accepted the condom and 23.8 accepted the dual method<sup>19</sup> *i.e.* the use of two family planning methods. In 2007, Kingston and St. Andrew (KSA) accounted for 5 707 of the total visits by adolescent girls to the health clinics which represented the largest portion of the almost 24 000 visits made by adolescent girls across island wide.

102. The MOH continued to systematically monitor **women’s access to health care**, including primary and secondary health-care services, and to disaggregate the data according to geographic location and by age, and to further use the data as a basis for planning health care delivery. In this regard, several measures have been put in place to raise awareness about the **Ministry of Health** services including the **Statement on Abortion**. In response to the findings from the **National Advisory Group on Abortion** a series of discussions have taken place at the level of **Joint Select Committee of Parliament** regarding submissions which have been made by various stakeholders on the issue and presently discussions on the issue of abortion continue.

103. The implementation of **awareness-raising initiatives on women’s health**, including sexual and reproductive health and rights also target adolescent girls, with special emphasis on combating HIV/AIDS. With the assistance of international development partners (IDPs) such as the United Nations Population Fund (UNFPA), Jamaica is assisted with programmes on **Sexual and Reproductive Health** on the premise that if women are empowered and if the needs for sexual and reproductive health needs are met, population stabilization will be achieved by virtue of choice and

<sup>17</sup> HIV and AIDS in Jamaica: National Strategic Plan 2007-2012, October 2007 (Final Draft) p. 2

<sup>18</sup> HIV and AIDS in Jamaica: National Strategic Plan 2007-2012, October 2007 (Final Draft), p. 21

<sup>19</sup> Economic and Social Survey of Jamaica, 2008 Planning Institute of Jamaica PIOJ – Chapter 23.11

opportunity. [**International Conference on Population & Development (ICPD) Programme of Action**]

104. Through the adoption and implementation of **national health programmes** such as the **anti-stigma and discrimination campaign** as well as **healthy lifestyle programme**, the Ministry of Health and other partners are working extensively to eliminate discrimination against women and girls living with HIV/AIDS. **The National AIDS Committee (NAC)** coordinates the national programme and through the sub-committees and the **Country Coordinating Mechanism (CCM)** information on services and programmes is disseminated and supported by measurable indicators and data disaggregated by sex. Monitoring is routinely carried out by the **Monitoring and Evaluation Unit** of the **National HIV/STI Prevention & Control Programme** to assess the effectiveness of programmes which are instituted under the auspices of the Ministry of Health.

### **Situation of Rural Women**

105. The GOJ has put specific measures in place to systematically monitor the impact on women, including **Rural Women**, of economic adjustment and trade liberalization policies, and in particular of its **National Poverty Eradication Programme (NPEP)** and other **poverty reduction** efforts. These monitoring is achieved primarily through the collaborative efforts of the Ministry of Agriculture & Fisheries and the BWA and other partners.

106. The GOJ is committed to meeting the needs of **Rural Women**, and to ensure their representation at all levels in organisations involved with development and planning. The BWA has been involved in extensive public education, skills training and the implementation of programmes geared toward the empowerment of rural women through income generating and other micro-enterprise activities. Through the **BWA, Rural Agricultural Development Authority (RADA)** and the **Jamaica Network of Rural Women Producers (JNRWP)** many rural women's groups are organised around economic activities in agriculture and related enterprises. Other initiatives such as the **Rural Electrification Programme (REP)** and the **Lift Up Jamaica Programme** have been instituted to assist several **Rural Women**.

107. In order to **reduce the rate of teen pregnancies and reduce the repeat pregnancy rates**, the Women's Centre of Jamaica Foundation (WCJF) programme plans to expand the range of services which are currently being offered. Partial financial assistance will be provided through funds secured through the recent "**Sisters to Sisters Project**" which took the form of a fundraising mediathon held in April 2008. It was initiated by the Minister with responsibility for Women's/Gender Affairs and implemented by the BWA in partnership with a group of female artistes who volunteered their services. In keeping with the **International Women's Day 2008 theme- "Financing for Gender Equality"**, the mediathon was designed to raise funds to assist the Women's Centre of Jamaica Foundation (WCJF) as well as assist with the **establishment of a state shelter for victims of domestic violence**. Some of the beneficiaries of the programme reside in rural areas.

### **Progress in attaining Millennium Development Goals (MDGs)**

108. The Government presented its progress report on the **Millennium Development Goals (MDGs)** to the United Nations' Economic and Social Council (ECOSOC) Annual Ministerial Review (AMR) meeting in Geneva, in July 2009.



109. In terms of the **gender equity framework** the progress report highlighted the impact of gender equity on the MDGs, namely areas of **women's empowerment, the eradication of extreme poverty and hunger, universal primary education, reduction of child mortality, maternal health, HIV/AIDS, and as well as environmental sustainability**. The report is a joint undertaking by the **Planning Institute of Jamaica** and the **Ministry of Foreign Affairs and Foreign Trade** and highlighted significant progress by Jamaica towards the achievement of the MDGs.

110. With regards to the fight against **HIV/AIDS, malaria, and other diseases**, Jamaica is on track to halt and reverse the spread of HIV/AIDS by 2015, as well as to facilitate universal **access to treatment by 2010**. Access has increased from five percent in 2000 to 60 percent in 2008. The country is also on track to halve, by 2015, the proportion of people without **sustainable access to potable water and basic sanitation**. Statistics reveal that in December 2007, 92 per cent of the population had **access to safe drinking water**, while 98.9 percent had **access to basic sanitary facilities**. The Government is committed to **gender equality** and measures have been undertaken towards the achievement of Goal 3 of the MDGs. In this regard, **gender equality and empowerment of women** are areas of primary focus.

111. Jamaica has been utilizing the twelve critical areas of the **Beijing Declaration and Platform for Action (BPFT)** to facilitate and further accelerate the implementation of the **Convention**. In addition, the BWA has incorporated the **twelve critical areas** in subsequent Strategic/Corporate Plans towards reinforcing the provisions of the Convention and fulfilling the mandate of the NWM. To further achieve this, the BWA is engaged in an ongoing public education, training and sensitization programme.

112. Many stakeholders across several sectors have been trained/sensitized through the print and electronic media, as well as through public education and gender awareness sessions conducted among women's and men's organisations, private and public sectors workers, non-governmental, community and faith-based organisations. The training has been conducted using a gender perspective with specific reference to the **Beijing Declaration and Platform for Action, the Convention** and other related human rights instruments towards the achievement of the **Millennium Development Goals (MDGs)**.

### **International Human Rights Instrument**

113. The GOJ wishes the Committee to note that the **International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families** was signed and ratified on September 28, 2008, thus paving the way for greater human rights and protection for women.

### **PART III**

#### **Article 1- Definition of Discrimination Against Women**

**For the purposes of the CEDAW Convention, the term “discrimination against women” means any distinction, exclusion, or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.**

114. With respect to the definition of discrimination against women, the proposed **Charter of Fundamental Rights and Freedom Bill** was debated and subsequent amendments made. For more details, please refer to the Review of Legislative Framework paragraphs 64-66 in the **Responses to the Concluding Comments**.

## Article 2 Obligations to Eliminate Discrimination

State Parties condemn discrimination against women in all its forms, agree to pursue, by all appropriate means and without delay, a policy of eliminating discrimination against women and, to this end, undertake:

- To adopt appropriate legislative and other measures, including sanctions where appropriate, prohibiting all discrimination against women
- To establish legal protection of the rights of women on an equal basis with men and to ensure through competent national tribunals and other public institutions the effective protection of women against any act of discrimination.

115. The Government has put in place a gender equality framework in its policies, programmes, and plans, in keeping with the international legal requirements, international human rights obligations, commitments, and principles. Some of these include the acceleration of legal and constitutional reform to protect against sex discrimination; sexual harassment; law & policy through legal reform to review and amend legislation geared towards the elimination of all forms of violence against women and girls. There is ongoing legislative reform relating to women to ensure that women receive adequate redress under the law as well as the introduction of new legislation to provide protection and remedies for women and girls.

116. Amendments have been made to several pieces of legislation, to improve the remedies that are available to women and girls who are victims of gender-based and other forms of sexual violence. These pieces of new and amended legislation will afford women and girls greater legal protection for sexual offences and increase the penalties for perpetrators of gender-based violence.

117. During the period, sustained efforts were made to continue to improve and strengthen the Criminal Justice System to ensure that the rights and privileges of all citizens are preserved and protected. A major initiative is the proposed **Victims Charter** which is geared towards enhancing the protection of women who are victims of violence. It intends to address the needs of victims of crime, rather than focus primarily on the punishment of offenders. The proposed **Victims Charter** aims to institute policies, programmes and initiatives which support victims with fair and just treatment throughout criminal justice proceedings. It is intended that women who are victims of crime will benefit significantly from the **Victims Charter** as it seeks to eliminate the risk of secondary victimization.

118. One of the significant achievements of the Government of Jamaica is the establishment of a multi-agency **National Task Force Against Trafficking in Persons (NATFATIP)** within the Ministry of National Security to monitor and coordinate Jamaica's response to the situations of *Human Trafficking*.

119. The **Trafficking in Persons (Prevention, Suppression and Punishment) (TIP) Act** provides protection to **victims of trafficking** who are mainly women and girls. The Act criminalizes the recruitment, transport or transfer of victims within Jamaica, to another country or from another country into Jamaica by threat or use of force, abduction or deception or other such means. It also facilitates the enforcing of harsh penalties for offenders including custodial sentences. The

Government remains committed to providing assistance to victims including the provision of safe shelters.

120. Since the introduction of the TIP Act, extensive public education has been done to provide training in matters relating to the Act. The **BWA in collaboration with the National Task Force Against Trafficking in Persons** and key multi-sectoral partners have conducted several public education sessions to provide training and sensitization to several stakeholders. This includes graduate and undergraduate students at universities, public sector employees, students, women in urban and rural areas, domestic workers, teen mothers and their parents; police youth club members, church members and leaders as well as new immigration officers among other groups.

121. During the period 2006 – 2008, the BWA conducted (69) sensitization sessions on TIP with a total of 4, 315 participants. As a result of these sessions, women, men, minors and youth were sensitized as to their rights concerning methods of prevention, protection as well as prosecution measures that can be taken.

During the review period 2003-2009, several legislative developments have taken place. These are as follows:

122. The **Child Care and Protection Act (CCPA)** was enacted in 2004 to strengthen the legal framework for the care and protection of children in keeping with our commitment under the **UN Convention on the Rights of the Child** and obligations under the **Beijing Declaration and Platform for Action**. The **CCPA** introduced new standards for the treatment of children and gives special attention to special categories of children. Under Jamaican law, a child is referred to as any person between 0 - 18 years.

123. The main provisions of the **CCPA** include the establishment of an **Office of the Children's Advocate** to act in legal matters on behalf of children; a central **Children's Registry** for the reporting of child abuse; increased penalties for violations of the rights of children and other offences under the Act, the formulation of standard principles to be upheld in dealing with matters affecting children, and increased parental & community responsibility towards children.

124. The **Domestic Violence Act** was amended in 2004 to make makes provision not only for married women but also for women in common-law and visiting relationships to apply for occupation and protection orders if they are victims of domestic abuse. The amended Act also makes provision for a third party through permission of the court to start legal proceedings on behalf of someone who has suffered from spousal abuse. This is an important provision in the cases of 'battered woman syndrome' and aims to provide greater protection and redress to women.

125. The **Property (Rights of Spouses) Act** was enacted in 2004 to make provision for the equitable division of family property in the event of a breakdown of marriage. The provisions under the amended Act also apply to common-law relationships after a period of five years.

126. The **Maintenance Act** was amended in 2005 to confer obligations on spouses to maintain each other during a marriage or common-law union. The amendments also conferred obligations on parents to maintain their children. Adults can also be required to maintain their parents in special cases.

127. In order to adequately address the issue of Trafficking in Persons in Jamaica, the **Trafficking in Persons (Prevention, Suppression and Punishment) Act** became effective on March 1, 2007. This underscores the Government's commitment under the TIP Act to provide protection and support to the victims of trafficking.

128. The **Sexual Offences Bill** was passed by the Senate in July 2009 with 28 amendments and covers all forms of sexual offences. Debate on the **Bill**, which will repeal the Incest (Punishment) Act and several provisions of the Offences Against the Person Act, began in 1995 when the Offences Against the Person (Amendment) Bill and the Incest (Punishment Amendment) Bill, covering rape, incest and other sexual offences were tabled and referred to a Joint Select Committee.

129. The **Sexual Offences Bill** provides for, among other things; a statutory definition of rape, the abolition of the common law presumption that a boy under 14 years old is incapable of committing rape, protecting the anonymity of the complainant. It also sets out the circumstances under which a spouse who has sexual intercourse with the other spouse without the spouse's consent will commit the offence of rape.

130. The **Child Pornography (Prevention) Bill** was passed in the Senate in July 2009, making commercial sexual exploitation of children a criminal offence. The Bill will apply to the production, possession, importation, exportation and distribution of child pornography penalties of up to 20 years imprisonment and high fines. It also aims to criminalize the production, importation, exportation and distribution of child pornography as well as the use of children in such activities. The Act will ensure protection for girls who are the primary victims of child pornography in keeping with our commitment under the **Beijing Declaration and Platform for Action** regarding the protection of the **girl-child**.

131. A **Cybercrimes Bill** was accepted in Parliament earlier this year and will serve to complement legislation on child pornography as well as protect women and girls from cyber crimes. The **Cybercrimes Act** 2010 imposes legal sanctions on the misuse of data and other computer-related crimes such as unauthorised access in general as well as access with intent to commit or facilitate the commission of an offence; and interception, modification and interference with the integrity of the computer systems and data<sup>20</sup>. The **Act** will address computer system sabotage and criminalize the use of devices or data for the commission of an offence under any law in Jamaica.

132. Amendments to the **Evidence Act** are being finalized to allow vulnerable witnesses, many of whom are women and girls, to give evidence in court proceedings by way of video link. This will allow women and girls who are victims of certain crimes and are witnesses to crime, to give evidence without being required to appear in court to face the offender. The **Act** is intended to provide greater protection and security for women and girls who are victims of crimes.

133. The **Maternity Leave Act** is being reviewed to provide greater protection to pregnant women through the increase the fines payable by employers who are in breach of the Act.

134. It has been proposed that discrimination against persons with disabilities or health reasons should be made unconstitutional. Provisions will be made in the proposed **Occupational Safety and Health Bill** to protect persons from the practice of screening for HIV/AIDS, as a prerequisite for

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<sup>20</sup> Office of the Prime Minister- "Cabinet Approves Amendments to Cybercrimes Law"- [www.jis.gov.jm](http://www.jis.gov.jm) , September 10, 2009

employment. With women and girls being the most vulnerable, it is essential that they are protected from potential discrimination.

135. Under the **Legal Aid Act**, legal aid services should be made available to both men and women equally. (Please see Responses to the Concluding Comments paragraph 84, p. 21).

### **National Policy for Gender Equality**

136. The **National Policy for Gender Equality (NPGE)** has been developed to allow for gender to be more definitively mainstreamed in public policies, programmes and plans as well as create more opportunities for redress regarding offences committed among women and girls. It includes gender and human rights targets to be achieved and gender indicators to monitor targets. The draft policy is guided by the key principles of **gender equity and human rights**.

137. The **NPGE** addresses gender inequality and further builds on the work that was already started for development plans, strategies, and institutions to take into account the varied circumstances, experiences, socio-economic realities and concerns of women and men. It focuses on the contribution to the development process, in order to avoid unfair and unequal gender-related outcomes so that the Government can advance and achieve equal and equitable sustainable human and national development.

138. The **NPGE** further sets out a framework which brings together, concepts, meanings, trends, and initiatives to analyse the gender process and shows how the gendered perspective and approach evolved in order to influence development plans and strategies. The **NPGE** has been finalized and a Submission has been prepared for Cabinet's approval.

### **Draft Sexual Harassment Policy**

139. A **Draft Sexual Harassment Policy** has been developed and was reviewed by the Human Resource Committee. Subsequently, certain amendments are being made for re-submission and approval. The **Policy** intends to propose terms and provisions for the enactment of sexual harassment legislation. It also intends to facilitate redress for women and men in the workplace, educational institutions, and in situations of accommodation. In preparation for the implementation of the Policy, several public sector employees have been sensitized to the issue of sexual harassment.

### **National HIV/AIDS Policy**

140. The GOJ through the Ministry of Health developed the **National HIV/AIDS Policy** in 2005 to promote respect for all persons as well as the protection and fulfillment of all rights - human, civil, political, economical, social and cultural. The **National HIV/AIDS Policy** requires that fundamental freedoms are upheld in accordance with the Constitution of Jamaica and existing international human rights principles norms and standards.

141. The **Inter-American Convention on the Prevention, Punishment and Eradication of Violence Against Women – (Belem do Para)** was acceded to in 2005. This underscores Jamaica's commitment to address violence against women which causes death or physical, sexual or psychological harm or suffering to women and girls, in public or private spaces.

### Article 3: The Development and Advancement of Women

**State Parties shall take in all fields, in particular in the political, social, economic and cultural fields, all appropriate measures, including legislation, to ensure the full development and advancement of women, for the purpose of guaranteeing them the exercise and enjoyment of human rights and fundamental freedoms on a basis of equality with men.**

142. During the review period, several measures have been put in place to facilitate the full development and advancement of all women as a part of their basic human rights. These include:

- The strengthening of enabling and supportive structures such the **Victim Support Unit**, as well as the **Human Rights Unit**
- The **National Policy for Gender Equality** (Draft); to facilitate the integration of a gender perspective into all aspects of national plans, programmes and projects
- The **Sexual Harassment Policy** (Draft); to provide redress for women and men in the workplace, educational institutions, and in situations of accommodation
- **Justice System Reform**; to make special provisions for women and girls in order to improve their access to justice
- A **Victims Charter** in **2007** to provide greater protection to victims of violence

143. The new **Victims Charter** came into effect to ensure that victims are protected and given fair and just treatment throughout the various stages of the justice process. These provisions will greatly benefit women and girls as they are the main victims of various crimes.

144. The Bureau of Women Affairs has made recommendations to the **Justice System Reform Task Force** to make special provisions for women (including the disabled & other vulnerable groups) and children who are affected by acts of violence, infected or affected by HIV and AIDS as well as other sexually transmitted infections (STI s).

145. The **Gender Advisory Council (GAC)** served to advise the Government on gender equality direction and strengthen the implementation and accountability framework of the National Gender Policy. Plans are in train to establish a multi-sectoral **Gender Advisory Council**. The BWA will serve as facilitator and co-ordinator of this Committee and, more generally, as a catalyst and support to all ministries in the implementation of the **National Policy for Gender Equality**.

146. Several gender mainstreaming initiatives were pursued in the area of Gender Analysis in policy initiatives, Gender Training, Management Information Systems (MIS) and the establishment of Gender Focal Points in key government MDAs. The **Gender Focal Points** are designated senior administrative and technical staff within Government Ministries who will serve as ‘gender facilitators’ for information sharing and the coordination of activities to promote multi-sectoral gender mainstreaming activities.

147. In keeping with the thrust towards fostering gender equality framework a **Male Desk** was established within the National Women’s Machinery- the Bureau of Women’s Affairs to further institutionalize and operationalize the principle of gender mainstreaming. Other institutional mechanisms have been put in place to support gender equality and women’s empowerment outcomes

such as a gender monitoring checklist, gender budget analyses and strengthened partnerships with non-governmental organizations and civil society organizations. The GOJ's commitment to the full integration of women into national development is indicated by the ministerial location of the national women's machinery within the Ministry of Youth, Sports and Culture. The Minister has special responsibility for Women's Affairs and Gender Issues.

148. **The Office of the Public Defender (OPD)** continued to examine and facilitate redress for human rights violations. It continued to provide for the investigation of complaints brought by citizens and acts on the behalf of the complainants to remedy the alleged injustice. Women are free to access the services of this Office to obtain redress representation regarding human rights violations.

#### **Article 4: Acceleration of Equality between Men and Women**

**Adoption by State Parties of special measures, including those measures contained in the present Convention, aimed at protecting maternity, shall not be considered discriminatory.**

149. The GOJ through the National Women's Machinery, the Bureau of Women's Affairs made responses to the Committee's concerns and recommendations relating to Jamaica's progress regarding the implementation of the Convention in of the Responses to the Concluding Comments. For more details, please refer to paragraphs 86-88 which addresses **Special Temporary Measures to address Discrimination against Women.**

#### **Article 5: Sex Roles and Stereotyping.**

**State Parties shall take all appropriate measures:**

- **To modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customs and all other practices which are based on the idea of inferiority or the superiority of either of the sexes and stereotyped roles for men and women;**
- **To ensure that family education includes a proper understanding of maternity as a social function and the recognition of the common responsibility of men and women in the upbringing and development of their children, it is being understood that the interest of the children is the primary consideration in all cases.**

150. The Government of Jamaica reaffirms its commitment to the Beijing Platform for Action (**BPFA**) and other international commitments as part of the national gender equality framework. A common objective of both **CEDAW** and **BPFA** commitments is a transformed gender ideology which influences attitudes and values leading to behaviour change. The aggregation of these in turn changes social and cultural patterns relating to gender role socialization practices, allocation of chores at home and in the classroom, parenting styles, curriculum choice, skills and the division of labour.

151. The institutionalization of gender stereotyping is being addressed through amendments in the curriculum of the Ministry of Education, as well as through public education programmes in schools and civil society as well as gender mainstreaming activities of the National Women's Machinery. The GOJ in partnership with men's NGOs has facilitated gender awareness training for male leaders including men who are involved in community **development**. Gender awareness training especially among men, led to the formation of the **Male Action Network Initiative** which is characterized by



involvement in ongoing research projects to explore male attitudes, perceptions, and roles in relation to women.

152. Over the review period, emphasis was placed on education as a tool for **transforming traditional gender ideologies**. Government, particularly through the Media Services Unit of the Ministry of Education (MOE), has stipulated that curricula and support materials be developed for the education system and must be free from biases including gender. Regulations from the Ministry of Education require that approved material should not knowingly display stereotyping.

153. The **curriculum and textbooks at the primary level** have been designed to address the issues of gender stereotyping. These texts highlight the positive roles of both male and female, so that students are socialized into performing necessary roles, rather than gender assigned roles. From the Ministry of Education's perspective, the guidelines for development of curriculum and support materials speak to the elimination of stereotyping, but these attitudes might still be present in particular schools/classrooms, depending on the mind-set of the school administrators. In some schools, particularly in rural communities, there may still be differentiation in the tasks assigned to boys and girls.

154. The **Reform of Secondary Education Programme (ROSE)** exposes all students to a common curriculum. Students are afforded the opportunity to explore their aptitudes for areas that may have been previously stereotyped and these can be pursued in upper grades. The effort is being reinforced with the infusion of career guidance in all subject areas of the grades 7-9 curriculum in order to influence their minds in a positive way.

155. Conflict Management is a part of the curriculum at the primary and secondary levels. Skills are imparted to students through various methods (such as role-playing); so that they are prepared to responsibly handle any situation of conflict. Counselling is also available to individuals needing assistance with special situations. Emphasis in conflict management is not gender-specific, but the skills learned are applicable to all types of conflicts.

156. The **Programme for Alternative Student Support (PASS)** which began in 2001 has continued. It is one key **conflict resolution intervention** designed to complement present school initiatives in order to effectively address unacceptable social behaviours among secondary students. It ensures that appropriate steps are taken to help students to adjust to the learning environment. PASS is a holistic approach that utilises the expertise of resource persons in and out of schools. This will assist in modifying the social or cultural patterns of men and women. Several students have benefited over the years and in 2008 alone, over 200 students were involved in the programme. Since the beginning of 2009, over 60 students have benefited. The programme does not specifically target female students but is an intervention for both sexes.

157. The **Health and Family Life Education (HFLE) Programme** of the Ministry of Education is geared towards promoting family life education. It is currently offered to grades 1-6 at the primary level and grades 7-9 at the secondary level. **HFLE** is the chosen vehicle for HIV and AIDS prevention education including both knowledge and skills acquisition. The curriculum is student-centred as it facilitates a life-skills based approach that will seek to address negative gender stereotyping.

158. There is a continuous process towards the removal of structural barriers in curriculum and text books at the primary and secondary levels. At the tertiary level, **CARICOM** and the **Institute for Gender and Development Studies (IGDS)** developed a manual and training course on Gender in Education as part of the curriculum for teacher training colleges in order to reduce the impact of gender biases on learning. Subsequently, funding has been sought from CARICOM to conduct monitoring and evaluation on the issue to determine the impact of the intervention.

159. The Ministry of Education partnered with the **Independent Jamaica Council for Human Rights (IJCHR)** in order to develop a training manual on Human Rights Education for use by teachers in an attempt to integrate human rights education at the primary level. The Ministry of Justice is in the process of developing a curriculum for teaching human rights to public sector staff in order to increase their competence in this area.

160. The **Office of the Public Defender** is also on stream to develop an anti-discrimination public education campaign. This will assist in addressing sex roles and stereotypes leading to the elimination of discrimination against women. (Please see paragraph 148 on p. 35)

161. The media play a role in promoting **gender bias and cultural stereotypes** which reinforce ideas of female inferiority and male superiority. Measures have been taken by the Government to influence the lyrical content of local popular music as a means of changing the culture of discrimination against women and children, including gender-based violence. These measures include intervening in the activities of the media in order to transform the content of violent and sexually offensive films and magazines.

162. The **Children's Code for Programming** was implemented in 2003 and requires all licensed television, radio and cable service providers in Jamaica to actively limit children's exposure to harmful violence, sex and violent language in the electronic media. The Code also sets out standards for the media to rate and schedule or filter programming as well as provides advisories to help parents and guardians determine suitable materials. This initiative is designed to eliminate the negative cultural practises and protects children from exposure to harmful media content. Great responsibility is now placed on parents to monitor the children to reduce harmful content.

163. The **Children's Code** requires all licensed media providers to make an **assessment of the programmes** they intend to transmit to see if they contain any harmful material. They are also required to operate strictly within the terms which govern transmission i.e. they can only transmit radio or television programmes or cable channels meant for mature audiences to the intended audiences.

164. Despite the introduction of the **Children's Code** in 2003 to guide the electronic media's treatment of sex, violence and profanity, some licensed media houses continued to ignore the regulations. A 'deluge' of material that was derogatory in its treatment of women and its promotion of violence as a solution to problems breaches occurred in 2009 prompted the **Broadcasting Commission** to issue three new directives in February 2009 as regulatory tools. These directives aimed at ensuring improved monitoring of the airwaves in order to address the airing of inappropriate content. They prohibit the broadcast of sexually explicit content. In addition, they imposed a ban on the transmission of content which glorifies the gun, promotes murder, violence against women, children and other

vulnerable persons. These restrictions will seek to protect women and children from exposure to harmful media content.

165. The **Broadcasting Commission** will be drafting and proposing the contents of a new broadcast policy which will take into account; vulnerable audiences including the negative portrayal of women and possible risks of harm as well as institute mechanisms for the regulation of content of non-linear services, among other things.

#### **Article 6: Exploitation of Women**

**State Parties shall take all appropriate measures including legislation to suppress all forms of traffic in women and exploitation and prostitution of women.**

166. The Government has taken several measures to address all forms of violence against women including trafficking in women, exploitation and prostitution. These consist of legislative and policy measures, programmes, research and public education.

167. **Gender-based violence** continued to be a challenge faced primarily by women, girls and children. The GOJ through the Bureau of Women's Affairs (BWA) and key partners addressed the issue of **gender-based violence** through a series of **public education programmes** designed to increase knowledge of the root causes of gender-based violence. The **training and sensitization sessions** were also geared towards improving the mechanisms and policy environment towards practical solutions to address the challenges faced by women, girls and children. The training sessions targeted persons within the private and public sector, faith and community-based organizations, women's and men's organizations, academia, NGOs and other similar interest groups.

168. In order to promote gender equality through increased awareness, several public education sessions were conducted among a wide cross section of participants concerning their legal rights and entitlements under existing, new and amended legislation. Topics include presentations on **legislation** such as the **Property (Rights of Spouses) Act**, the **Offences Against the Person Act**, **Domestic Violence (Amendment) Act**, **Maintenance Act** and the **Child Care and Protection Act**, among others.

169. **New laws have been enacted and treaties** have been entered into to address violence against women. This is inclusive of the **Inter-American Convention on the Prevention Punishment and Eradication of Violence Against Women (Belem do Para Convention)** which Jamaica acceded to in 2005. (Please see paragraphs 46 –52)

170. The **Domestic Violence Act** was amended in **2004** to make provisions for women who are victims of domestic abuse. (Please see Article 2 paragraph 124). It includes new provisions for women, for example, those in visiting relationships. Under the amended Act, women in visiting relationships are now able to seek redress.

171. The GOJ in recognizing that the absence of national legislation served as a barrier to addressing human trafficking ratified the United Nations Convention Against Transnational Organized Crime and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children in December 2005. This was done to prevent trafficking in women and girls as well as to provide greater protection to women. Further to this, the **Trafficking in Persons (Prevention, Suppression and Punishment) Act** was passed in 2007.

172. Another significant achievement of the Government of Jamaica over the review period is the establishment of a multi-agency **National Task Force Against Trafficking in Persons (NATFATIP)** within the Ministry of National Security in order to monitor and coordinate responses to the situations of human trafficking. A National Plan of Action has been developed and a series of activities are taking place using various strategies.

173. The BWA and the **National Task Force Against Trafficking in Persons** collaborated with a number of agencies to conduct a number of public education sessions in order to prevent TIP, protect victims and prosecute offenders. The beneficiaries included graduate and undergraduate students at universities, public sector employees, students, women in urban and rural communities, domestic and other workers, teen mothers and their parents; police youth club members, church leaders, and new immigration officers recruits among other groups.

174. Funds were received from the **International Organization for Migration (IOM)** to conduct eighteen workshops between March 2006 & May 2007, to erect billboards and produce other public education tools. In addition, a Crisis Counselling Manual was created to involve TIP child victims and other trauma cases relating to children. Some funds were received from the **USAID through the People's Action for Community Transformation (PACT)** to assist in public education and training on issues relating to Human Trafficking.

175. Concerning justice for victims of gender-based violence, in 2008 the **Justice Training Institute**<sup>21</sup> provided training in relation to trafficking in persons and victim support. **The Family Court** processed a number of domestic violence cases. In 2008, approximately 5.9 per cent of all cases were processed compared to 6.6 per cent of all cases in the previous year which were related to gender-based violence.

176. Many persons including women are affected by sexual harassment, especially at the workplace, in institutions and situations of accommodation. In keeping with the commitment towards achieving gender equality, a National Sexual Harassment Policy is being developed. In preparing the Policy, several public sector employees have been trained to identify sexual harassment and also how to treat this issue. (Please see Article 2 for more details)

177. The **Child Pornography (Prevention) Bill** was **also proposed** as a means of protecting children especially the girl-child from this kind of abuse. This was subsequently adopted in both the Lower and Upper Houses in 2009. (Please see Article 2 for more details)

178. The **Sexual Offences Bill** seeks to protect married women as it sets out the circumstances under which a man who has sexual intercourse with his wife without her consent can commit the offence of rape. (Please see Article 2 for more details)

179. **Mediation Training** is mandatory for officers completing the two-year training in general policing. In recognition of the importance of training law enforcement officers to adequately respond to domestic violence, measures have been taken to increase their awareness with regard to domestic violence. This was done through the inclusion of a "Domestic violence intervention" module in the

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<sup>21</sup> Justice Training Institute

training syllabus of the Jamaica Police Academy Basic Training and Probationer Training<sup>22</sup>. Approximately 10 per cent of the police force has been trained so far. This training is intended to benefit women and girls as they are the main victims of gender-based violence.

180. In one major Police Division in the parish of St. Catherine, as part of the Community Relations Programme, the Unit averaged 250 reports of domestic violence per month. As a result of this, a **Domestic Violence Desk** was established and staffed by police officers who were trained as mediators. The creation of the **Desk** provides opportunities for women and men seeking redress in domestic violence cases to access the services. This is an indication that more women are seeking to access redress, in keeping with the amended Domestic Violence Act 2004.

Table 2: Complaints filed and disposed of under the **Domestic Violence Act**<sup>23</sup>

<i>INDICATORS</i>	<i>2003</i>	<i>2004</i>	<i>2005</i>
No of complaints filed in the courts under Domestic Violence (DV) Act	1,701	1,604	1,177
No. & % of complaints disposed of in the courts under the Domestic Violence (DV) Act	932 (55%)	963 (60%)	799 (68%)

181. Jamaica's **Victim Support Unit (VSU)**<sup>24</sup> is the first of its kind in the Caribbean and has offices in all 14 parishes. The **Unit**, which is strategically located within the **Ministry of National Security**, provides support in the form of counselling, emotional support and other services to victims of gender-based violence in volatile communities. In 2008 alone, of the total number of clients received by the VSU, 16.2 per cent were carnal abuse cases, 13.8 per cent rape cases, 10.6 per cent domestic violence cases and 21.7 per cent other cases. Of the cases in 2007 carnal abuse was 14.4 per cent, rape 12.8 per cent, domestic violence 12.3 percent and others accounted for 36.2 per cent. In order to improve service delivery, a total of 410 volunteers were trained in 2005 to strengthen the VSU's capacity to identify victims of violence at the community level and to facilitate appropriate intervention, referral and assessment.

<sup>22</sup> UNIFEM/ECLAC (2003) Eliminating Gender-based Violence: Ensuring Equity. A Regional Assessment of Actions to End Violence Against Women in the Caribbean

<sup>23</sup> Ministry of Justice

<sup>24</sup> Victim Support Unit

Table 3: Number of persons assisted by the **Victim Support Unit (VSU)**

<i>Indicator</i>	<i>2004</i>	<i>2005</i>	<i>2006</i>
<b>Total number of victims of crime assisted by the VSU</b>	7744	9703	10,817
<b>Male (%)</b>	28	39	33
<b>Female (%)</b>	72	61	67
<b>No. of new clients</b>	3,839	4,476	5,083

Table 3 indicates that that more women than men benefitted from the services offered by the VSU during the period 2004-2006 indicating that the VSU is in fact beneficial to many women.

182. The **Centre for the Investigation of Sexual Offences and Child Abuse (CISOCA)** continues to centralise the response and investigation of the police force to sexual offences, and child abuse. Statistics from **CISOCA** indicate that violent crimes have been increasing and assault is the most common cause of injury to women and girls. In 2005, it was reported that 70 per cent of all assaults were reportedly against children.<sup>25</sup>

183. Efforts are being made by **CISOCA** to realign several of its operations to provide greater protection to the victims of heinous sexual crimes as well as to bring violators to justice. Several staffing and infrastructural changes have occurred which should result in the enhancement of the detection, investigation and clearing up of sexual crimes to prevent secondary victimisation of victims who are already traumatized. The renovations at **CISOCA** will result in the provision of separate accommodation for staff, private interview rooms, and video-recording rooms with equipment to assist victim and staff, playrooms for children who are victims of abuse, an improved physical examination and meeting rooms, among other things. The Staff is also being trained in utilizing the new video-interviewing equipment which will assist in the gathering of useful evidence<sup>26</sup> especially in situations involving minors and other vulnerable witnesses.

184. There are **other initiatives and strategies** that are designed to eliminate discrimination against women and children. These include the National Framework of Action for Children, the National Plan of Action for Child Justice and the Draft National Restorative Justice Policy. Programmes and policies include the Community Security Initiative (CSI), Neighbourhood Watch, Peace Management Initiative and the **Ananda Alert** and Missing Persons Investigation Policy. The **Ananda Alert** is a nationwide emergency response system designed to search for and locate missing children.

<sup>25</sup> Office of the Children's Advocate

<sup>26</sup> Ibid

185. After participating in two international conferences in Atlanta and Mexico in August and October 2007 respectively, the BWA was exposed to the concept of **safer cities for women and girls**. In that regard, follow up initiatives involved the hosting of three **safer cities** workshops in Kingston in November 2007, June 2008 and November 2008. The workshops were aimed at creating **safer cities for women and girls** in order to eliminate gender-based violence experienced in public spaces. In addition, the workshops were geared towards sensitizing personnel within the public transport system and other relevant stakeholders, about safety procedures as well as to engage stakeholders in meaningful dialogue towards strategizing towards the promotion of public safety for women and girls.

186. Further to this, the Department of Local Government and the United Nations Development Programme (UNDP) implemented a pilot project on September 10, 2009 which is intended to make communities safer for women and girls. Dubbed, '**Strengthening Community Safety Through Local Government Capacity Building**', the project is to be implemented in two communities over the next 15 months.<sup>27</sup> The project will involve assessment of the local context of women's safety; training of local authorities and community-based organisations in the use of safety assessment and audit tools; the carrying out of safety audits and local safety appraisals; and the participation of women in discussions regarding community safety. Areas to be targeted include markets, transportation centres and public sanitary conveniences to make them secure for women and children, as currently many face threats to their security in these areas.

187. There is currently no specific legislation to address **sexual harassment**. Presently, victims can obtain recourse through existing legislation for example the **Offences Against the Person Act**. The BWA embarked on a **violence reduction** project to address sexual harassment and to end Violence against Women with funding from the **United Nations Trust Fund (UNTF)**. Technical support was provided by the **United Nations Development Fund for Women (UNIFEM)**. The project involved challenging entrenched perceptions and behavioural patterns as well as changing attitudes to **sexual harassment** in the workplace and other institutions.

188. Under this **violence-reduction** project, large-scale awareness-raising, workplace sensitization and training took place on **sexual harassment** in all government MDAs as well as some private sector companies. Approximately, 43 workshops have been conducted by the BWA to reach a target population of 1, 320. Several public sector staff were also trained including human resource managers in recognizing **sexual harassment** and methods of addressing the issue. The BWA continues to carry out these sensitization workshops as well as to offer direction and guidance to MDAs towards the development of their own policies and internal complaints mechanisms. Some private sector employees were also trained by the Bureau of Women's Affairs as part of its own public education programme.

189. A second project was implemented by the GOJ entitled **Strengthening State Accountability and Community Action for Ending Gender-based Violence in the Caribbean**. The project was funded by UNIFEM and aimed at reducing **gender-based violence** through strengthened and responsive State and civil society actions and is currently underway. It is primarily grounded in the need to build political will to address the significant gaps in policy frameworks for sexual and gender-based violence, particularly in the justice and security sectors. The project demands multi-sectoral strategies

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<sup>27</sup> Office of the Prime Minister- "Pilot Project to Make Communities Safer for Women and Girls"- [www.jis.gov.jm](http://www.jis.gov.jm)

for ending impunity, and calls for men to be engaged as partners in advocacy on ending sexual and gender-based violence. This project will lead to the development of a National Plan of Action to end gender-based violence.

190. The United Nations Population Fund (UNFPA) is presently spearheading a baseline assessment on **Jamaica's efforts to prevent gender-based violence** and highlights the consequences of gender dynamics on reproductive health and rights. The 2009 baseline study builds on work previously undertaken by various national and international organizations and expands the analysis to examine the **impact of gender-based violence on male youth**, and how socialization and other factors impact on perceptions of masculinity which are in turn translated into sexual and reproductive health behaviours. The results of the assessment will guide the development of a detailed **multi-sectoral programming implementation framework on violence against women**. Additionally, it will contribute to the development of a programme geared towards working with male youth to prevent gender-based violence and **promote positive sexual and reproductive health behaviours**.

191. Despite its illegal and stigmatized status, **prostitution** continues to exist and is practised in both rural and urban areas especially among poor and vulnerable women who are in most cases, single parents and/or heads of households. The Ministry of Health has been conducting prevention and behaviour change programmes to reduce the spread of sexually transmitted infections (STIs), particularly HIV among commercial sex workers (CSWs). The programme includes public awareness campaigns to encourage safer-sex practices such as consistent condom use and limiting the number of intimate partners.

192. The BWA has been participating in discussions on the abortion issue at the national and regional levels. In this regard, the Executive Director of the BWA participated in a **Policy Roundtable** in July 2009 in Trinidad and Tobago. The meeting was convened to discuss the UNIFEM Policy Brief on **'Gender Equity, Human Rights and Sex Work in the Caribbean: Policy Considerations in the context of HIV/AIDS** and was hosted by the UNIFEM Caribbean Office in collaboration with UNAIDS and the Family Planning Association of Trinidad and Tobago.

193. The issues discussed at the high level forum were geared towards increasing the understanding of the gender-based vulnerabilities of persons engaged in sex work towards strengthening an integrated policy response. In addition, the **Policy Roundtable** was geared towards contributing to the dialogue on the development of appropriate and effective responses to those who are especially vulnerable to HIV/AIDS. (Please see Article 12 for a full discussion)



## Article 7: Political and Public Life

**State Parties shall take all appropriate measures to eliminate discrimination against women in the political and public life of the country and, in particular, shall ensure to women, on equal terms with men the right:**

- **To vote in all elections and public referenda and to be eligible for election to all publicly elected bodies**
- **To participate in the formulation of government policy and implementation thereof and to hold public office and perform all public functions at all levels of Government**
- **To participate in non-government organizations and associations concerned with the public and political life of the country.**

194. In order to address gender inequality in political and public life, the BWA collaborated with several organisations to implement activities towards eliminating discrimination against women and to increase women's participation in political and public life. Over the years, the BWA collaborated with the Jamaica Women's Political Caucus (JWPC) in hosting the Annual Madam Rose Leon Lectures in March to commemorate International Women's Day (IWD) activities in addition to IDEVAW.

195. The participation rates of women in general elections and local government elections are significantly low and thus the subsequent representation rates of women are also significantly low. Sixty (60) seats were contested in the 2007 General Elections of which twenty-one (21) seats were contested by women. Women accounted for only 35 per cent of those running for political office. Only eight (8) women won their seats with 3 of these women becoming first time Members of Parliament (MP).

196. The most notable achievement for women in politics in Jamaica was the appointment of the first female Prime Minister who served for almost two years. Currently in Jamaica, women account for 13.3 per cent of the Jamaican Parliament, 11 per cent of Cabinet Ministers, and 14.3 per cent of Senators. (Please see Table 4)

**Table 4: Percentage of Seats held by Women in Government, 2002 - Present**

<i>Position</i>	<i>2002</i>					<i>2007- Present</i>				
	Male		Female		Total	Male		Female		Total
N	%	N	%	N		%	N	%		
Cabinet	14	82	3	18	17	16	89	2	11	18
Senate	17	81	4	19	21	18	86	3	14	21
Members of Parliament	54	90	6	10	60	52	87	8	13	60

(Source: Jamaica Information Service, 2009)

197. The 30 per cent quota system recommended by the Beijing Declaration and Platform for Action still remains a challenge, and as a result, women continue to be under-represented in representational politics.

198. A research paper entitled, **The Assessment of Women's Political Participation & Gender Parity in Decision-Making Processes in Jamaica** revealed that although women's participation in decision-making at the public level has increased considerably over the last decade, women continue to be under-represented at the highest levels of governance. The BWA partnered with a few women's NGOs Women's Resource and Outreach Centre (WROC) as well as Friedrich Ebert Stiftung (FES) to provide training to several women towards increased participation in political and public life.

199. The research findings of the above-mentioned study revealed that the male-dominated political environment present in Jamaica has not traditionally facilitated women entering and remaining in representational politics without significant challenges to sexism. Prior to 2000, Jamaica was usually represented by one female Cabinet Minister. Consistent with this trend, data for the 2007 elections indicate that of the twenty-one women who contested the election, only eight were elected as Ministers of the House<sup>28</sup>.

200. Over the period of review, Jamaican women continued to make strides in the sphere of public life. Several women occupy influential positions in the public service including Administrator General, Director General, Chief Executive Officer, Chief Medical Officer and a significant number of the Permanent Secretaries are female. In the past, the position of Chief Personnel Officer and Accountant General were previously only held by men. During this period, women have held these positions. Statistics from the Services Commission indicate that during the review period the posts of Solicitor General and Government Chemist have not been held by females<sup>29</sup>.

201. Other notable first with regards with the appointment of women in positions of power and decision-making include the current Chief Justice of Jamaica; Minister of Justice and Attorney General; Director of Public Prosecutions; Children's Advocate; Children's Registrar; Chief of State Protocol and Commissioner of Corrections.

202. The Office of the Director of Public Prosecutions (DPP's Office/the Office)<sup>30</sup> has evolved from one in which men predominantly held the most senior positions to one in which women occupy most of the positions. Of the eighteen (18) senior positions; namely Assistant Director of Public Prosecutions, Deputy Director of Public Prosecutions, Senior Deputy Director of Public Prosecutions and the Director, ten (10) are held by women vis a vis three (3) being held by men. It is noteworthy to mention, that the first female Director was appointed to Office in March 2008.

203. The primary concerns of the DPP's Office revolve around the ergonomics of the working environment (office and courtroom) and the physical safety of all its prosecutors (who are mostly women) in the context of the Jamaican society. There is a general recognition, acknowledgement and accommodation of family life in light of the requirement for female counsel to prosecute in the rural circuits. Notably, the Office's Human Resources Department has reported that there have been no

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<sup>28</sup> The Portrayal of Gender, Colour and Class in Jamaica's General Elections 2007- Working Paper Series No. 5; Gender and Governance- Institute for Gender and Development Studies, 2008 p. 65.

<sup>29</sup> Office of the Services Commission

<sup>30</sup> The Office of the Director of Public Prosecutions (DPP)

complaints of sexual discrimination, sexual harassment, violence or denial of any fundamental or right based upon sexual discrimination.

204. There are a number of females employed within the judicial system. These include judges, magistrates, registrars and clerks. Of a total of fifty-one (51) Resident Magistrates, forty are women and both Masters-in-Chambers are women. All nine Registrars are women.

205. In the Supreme Court the female/male ratio is for the most part balanced with thirteen (13) female judges compared to fifteen (15) male judges. However, at the appellate level it is not as balanced. There are now (2) female judges of appeal of a total of seven (7) judges in the Court of Appeal. However, from time to time female judges from the Supreme Court are assigned to the Court of Appeal temporarily in an acting capacity, thus allowing them to move to a higher position for a short period.

206. Over the years, women have advanced within the judicial system and play a significant role in the administration of justice especially as it relates to the implementation of laws. The advancement of women to positions of power and decision-making has been encouraged and in many instances, facilitated by the GOJ in collaboration with a number of key stakeholders<sup>31</sup>.

207. The Government is aware that the implementation of awareness-raising measures and sensitization of the judiciary is important and has to be done on an island-wide basis. Workshops and seminars held by the Bureau of Women's Affairs for Resident Magistrates in November 2007 and March 2009, serve to improve awareness and sensitization of the judiciary as it relates to international conventions. The workshops explored gender-sensitive topics such as the application of Human Rights Treaties and Conventions in Jamaican law. In addition, the workshops facilitate sensitization on how to deal with several gender-specific offences, offenders and victims.

208. Currently only a small percentage of the Jamaica Constabulary Force (JCF) is female. The dominance of males in the police force is especially noticeable in the senior positions of the police force. However, more women are being recruited in the JCF and are able to aspire for senior positions<sup>32</sup>.

209. In 2000 a female acted as Commissioner of Police for a number of months. In the other positions like Deputy Commissioner, Assistant Commissioner, Senior Superintendent, Superintendent, Deputy Superintendent, Assistant Superintendent and Inspector, females are present but in low numbers.

210. Women in the Jamaica Defence Force (JDF), like their counterparts in the JCF, are also not found in the upper hierarchy of the arm of the Force.

## **Article 8: International Representation and Participation**

**State Parties shall take all appropriate measures to ensure to women, on equal terms with men and, without any discrimination, the opportunity to represent their Governments at the international level and to participate in the work of international organizations.**

211. Women have an equal right and opportunity to represent the Government at the international level. Women are consistently included on delegations to regional and international meetings/

<sup>31</sup> Office of the Director of Public Prosecutions (DPP)

<sup>32</sup> Jamaica Constabulary Force (JCF)

seminars/ conferences. In some cases, opportunities which are available in the international organizations are not pursued by Jamaican women and men.

212. Suitably qualified female candidates apply for membership in inter-governmental bodies. Few succeed and currently, a Jamaican woman is a member of the Inter-American Court of Human Rights as well as one of the Ad Litem judges on the Special Tribunal for Former Yugoslavia. Female Jamaican police officers have served in the United Nations (UN) peacekeeping operations in Africa and Asia with one female police officer recently returned from the UN Integrated Mission in Timor-Leste.

213. Of the 19 Heads of Missions (Ambassadors, High Commissioners and Consuls General), 10 are women. In all except 2 of the Missions, the deputy representative is a woman. Women are highly represented in the Foreign Service. Of the total home-based staff complement (including non-diplomatic staff), approximately 77 per cent are women and 23 per cent are men.

214. Jamaican women serve at all levels in the Foreign Service both at headquarters and in the missions. Of the total of 41 positions in the Foreign Service, 24 women serve at the executive management levels, i.e. Under Secretaries, Ambassadors/High Commissioners, Consuls General, Directors, and Heads of Units, in the Ministry of Foreign Affairs and Foreign Trade<sup>33</sup>.

215. A high percentage of delegates who participate in international meetings are women, thus reflecting their generally high numerical representation in the Foreign Service and the public service in general. Jamaica's representatives, whether male or female, demonstrate a broad range of expertise in a variety of fields.

216. As reflected in the percentage of women in the Foreign Service, there is no difficulty attracting women to the Foreign Service. There are no specific programmes to encourage women to join the service. Indeed, the converse is that the Ministry of Foreign Affairs and Foreign Trade has generally experienced problems in recruiting men to join the diplomatic service. This is the general experience in the public service where there are more women than men.

217. Jamaican nationals, both men and women are free to seek employment in the international bureaucracy. While there are no programmes to encourage nationals to apply for positions in international organizations, vacancy notices are routinely circulated in the public service, amongst academia and other entities. There are no barriers to women applying for these positions.

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<sup>33</sup> Ministry of Foreign Affairs and Foreign Trade

## Article 9: Nationality

**State Parties shall grant women equal rights with men to acquire, change or retain their nationality. They shall ensure in particular that neither marriage to an alien nor change of nationality by the husband during marriage shall automatically change the nationality of the wife, render her stateless or force upon her the nationality of the husband.**

218. The Government of Jamaica, through the Registrar General's Department (RGD) introduced compulsory **Child Registration Initiative** on January 1, 2007. Under the **Bedside Registration Procedure**<sup>34</sup>, a free birth certificate was given to every newborn that was named within the specified period. As an incentive, a number of hospitals issued same-day birth certificates to parents who registered their child with a name on January 1, 2007. Since the programme was initiated, over 60 per cent of fathers have added their information to the child's birth certificate at the point of registration. Prior to that, only thirty 30 per cent of unmarried fathers provided registration information at the time of registration. This is in an effort to ensure that girls and boys are given a nationality from birth.

219. To facilitate the process, a RGD Registration Officer has been assigned to all hospitals and birth centres island wide. The Chief Resident Officer is responsible to obtain and submit the particulars of all babies born in a public health institution to the Registrar within 14 days of the child's birth.<sup>35</sup>

220. Married women may retain their maiden name, assume their husband's name or use a combination of their maiden name and their husband's surname. A divorced woman is free to continue to use her husband's name or revert to her maiden name.

221. Through the establishment of the **Passport, Immigration and Citizenship Agency (PICA)**,<sup>36</sup> the GOJ continues to honour its commitment to grant women equal rights with men to acquire, change or retain their nationality.

222. Pursuant to Section 16 of the Constitution, all persons continue to have the right to move freely in Jamaica and to reside in any part of the country. There is no distinction on the basis of sex. The Constitution places no restrictions on residence; therefore marriage does not limit a woman's right to choose her residence.

223. A woman's domicile is not dependent on that of her husband as she has the right to citizenship in Jamaica by virtue of birth or descent. She may also obtain citizenship, if she so chooses, by registering as a citizen based on marriage to a citizen of Jamaica. A woman retains her domicile of origin, that is, where she is a citizen of Jamaica by birth or under the principle of domicile of choice, unless she renounces her citizenship.

<sup>34</sup> Registrar General's Department (RGD)

<sup>35</sup> Public Sector Reform Unit- Cabinet Office [www.cabinet.gov.jm/psru](http://www.cabinet.gov.jm/psru) -

<sup>36</sup> Passport, Immigration and Citizenship Agency (PICA)

**Article 10: Education**

**State Parties shall take all appropriate measures to eliminate discrimination against women in order to ensure to them equal rights with men in the field of education and in particular to ensure equality of men and women.**

224. The GOJ has instituted several mechanisms to ensure that women and girls do not experience discrimination in the area of education. This includes providing the necessary training to eliminate discrimination against women and girls at all levels within the education system.

225. In this regard, the **Ministry of Education (MOE)** is constantly reviewing its curricula, textbooks and other teaching materials to help eliminate the stereotyping of subjects/options. The Government introduced a free education programme at the secondary/high level to provide opportunities for greater access to available educational benefits. Women, over the years have utilized these opportunities to their advantage.

226. The Bureau of Women's Affairs is involved in the conducting of extensive public education through training and sensitization on the issue of gender equality.

227. The **Women's Centre of Jamaica Foundation (WCJF)** continues to offer a rescue programme for pregnant teenage mothers whose schooling is interrupted due to unplanned pregnancy. During the period of review there were several successes of the programme which include a decrease in the negative societal attitudes formally displayed towards the teen mother. Several girls were able to continue their schooling after giving birth. Other programmes/services include skills training, counselling and child care.

228. Changes were made in the Education Code of the Ministry of Education to allow teenage mothers to return to the school system. As a result, thousands of young women have been able to achieve academic successes and social advancement. This resulted in a decrease in the teen pregnancy rate and the subsequent scholastic achievements of the children of teen mothers involved in the programme.

229. Differential gender achievement remains a continuing concern with boys performing well below girls in English Language<sup>37</sup>. There was also a differential achievement in Mathematics. This was especially obvious in 2006 as the data was differentiated by gender. The Caribbean Secondary Examination Certificate examinations (Caribbean Examination Council-CXC) results for the period under review show that the girls dominated in the sciences (with the exception of Physics). In the Technical/Vocational area, there is a balance where girls perform better than boys in more subjects. The girls totally dominated in the business subjects.

230. The situation is similar in the Arts and General subjects. The subject areas in which the boys dominated have seen an increase in the number of girls sitting these subjects as well as better performance by the girls in these areas. This is an indication that not only are the girls aware of the options available to them, but also that they take advantage of these options.

231. Figures from the Economic and Social Survey 2008 show that the Number of graduates in 2007-2008 is similar at the Primary and Secondary School level. For university graduates, the number of females is almost three times that of males, due to the higher enrolment and lower dropout rates of

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<sup>37</sup> Jamaica 2015- National Progress Report 2004-2006 p. 3/166

female students. Table 5 below shows sex disaggregated data concerning statistics for graduates over a two year period.

*Table 5: Numbers of Graduates 2007-2008  
By Sex and School Type<sup>38</sup>*

	Male	Females	Total
Primary	24,197	23,838	48,035
Secondary	28,439	26,175	54,614
University Graduates	3,559	9,060	12,619

232. With regards to choice of subjects, there is no difference in the treatment of girls in same sex schools when compared to other types of schools. Students in single sex and co-educational schools receive instruction in the same curricula and examinations. Furthermore, the standard of teachers, school grounds and equipment are on the same level within the two types of schools.

233. The equipment used in each type of school varies according to vocational options being offered and not directly related to the gender component. Similar curricula are delivered in single sex and co-educational schools and students in both types of schools are allowed to sit the same types of examinations. For the most part, teachers at the primary and secondary levels are trained and qualified. This is particularly due to the MOE's goal of ensuring that all teachers in the education system are trained. This is also important because teachers are paid according to their level of training.

234. The student-teacher ratio is not dependent on whether the school is co-educational but rather on the **level and** type of school *i.e.* whether the school is a primary, secondary, and technical/vocational among other areas. Core subjects (namely Mathematics, English Language) are the same regardless of the type of school. Per capita expenditure is dependent on the facilities (due to subject being offered) as well as whether or not the school offers boarding facilities.

235. The educational system does not place students in different streams or "tracks" in an obvious way but it does facilitate schools using their own method of organizing students in groups. The system does dictate that each student should be at a particular level by a certain age up to secondary level education. Girls and boys are given equal opportunities to perform well and therefore their representation in any particular stream is dependent on the performance of individuals.

236. Girls are also allowed the freedom to choose any type of studies they wish and are not deterred from doing so by anyone. Public education and awareness raising programmes are used to eliminate gender stereotypes and misguided notions including myths and socio-cultural practises which militate against the provision of equal rights in education.

237. The following table represents the percentage of women graduating in the fields of Medicine, Engineering, Law, Science and Agriculture for the year 2006-2007.

<sup>38</sup> Economic and Social Survey, 2008- Planning Institute of Jamaica

**Table 6: Percentage of Women Graduating at the Tertiary Level  
By Sex and Fields 2006-2007<sup>39</sup>**

	<i>Male</i>	<i>Female</i>	<i>Total</i>	<i>*Percentage %</i>
Medicine	190	1097	1287	85
Engineering	210	36	246	15
Law	33	140	173	81
Sciences	1845	4420	6265	71
Agricultural	276	274	550	50
Total	2554	5967	8521	

**\* Percentage of women to men**

238. More females are graduating in all fields with the exception of Engineering and Agriculture. These statistics indicate the progress of women in education at the tertiary level.

239. Table 6 shows a percentage breakdown by gender, of the graduates in the fields of Medicine, Law, Agriculture, Engineering, and Science in the different local universities. The figures represent the percentage of the total number of graduates by gender in the respective areas of study. It must be noted though, that the number for the University of the West Indies (UWI) is for the Jamaican students on the different campuses (Mona/Kingston, Cave Hill/Barbados and St. Augustine/Trinidad). Information on each university was received from the Registrar of each university for the school year ending 2004.

**Table 7: University Graduates by Gender (2004)**

<i>UNIVERSITIES</i>	<i>FACULTIES</i>									
	<i>MEDICINE</i>		<i>LAW</i>		<i>AGRICULTURE</i>		<i>ENGINEERING</i>		<i>SCIENCE</i>	
	<i>M</i>	<i>F</i>	<i>M</i>	<i>F</i>	<i>M</i>	<i>F</i>	<i>M</i>	<i>F</i>	<i>M</i>	<i>F</i>
University of the West Indies	36.6	63.4	17	83	50	50	42	58	43.7	56.3
Northern Caribbean University	*	*	20	80	N/A	N/A	90	10	40	60
College of Agriculture and Science Education	***N/A	N/A			61	39		N/A	60.1	39.9
University of Technology		N/A	N/A			N/A	91	9	26	74

\*\*\*The faculties represented by N/A in the table are not offered at these institutions.

<sup>39</sup> Economic and Social Survey 2007



240. The statistics in Table 7 represents the gender composition of female to male university graduates in 2004 and shows an imbalance in favour of the females. This is an indication that the women appear to be moving ahead of the men in most of the areas under study in this report. A similar trend is also observed across faculties at the UWI as well as the other universities.

**N.B The percentages for Social Sciences are not included in the percentages indicated for the Sciences.**

241. The Scholarships and Assistance Unit (SAU) of the **Ministry of Finance & the Public Service** facilitates training and is a point of contact for persons wishing to access donor programmes. Scholarships are advertised in the daily newspapers and/or on the Ministry's website. The scholarships are not gender specific but are based on competitive selection. Scholarships are offered in undergraduate, postgraduate and post experience categories. For the calendar year 2008, more females were awarded scholarships and subsequently, new and on-going awards amounted to a total of 374. Of this total, 150 scholarships were awarded to males and 224 scholarships to females.

242. The Ministry of Education (MOE) reported that in 2008 a total of 67 Grade Six Achievement Test scholarships were awarded to 29 males and 38 females. These figures include 33 "Government Scholarships" awarded to 18 males and 15 females jointly sponsored by the Government of Jamaica through the Ministry in partnership with private companies and individuals.

243. Several grants/scholarships are available through the **Scholarship Unit** in the **Office of the Cabinet**. Information from the Unit reveals that ninety persons were awarded scholarships (both long term and short term) for the year 2004. Of this 90.61 per cent of the awardees were females. This however, is no indication of gender bias as gender is not a factor in the allocation of scholarships/grants unless otherwise stated by the agency or group granting the scholarships/grants. Awards are usually given, based on specific criteria such as socio-economic background and academic/athletic achievement among other things depending on the type of scholarship. The same standard is used by the MOE, for the awarding of scholarships. There are also private sector organizations that award scholarships/grants and these groups, as stated before, state their terms and conditions.

244. Scholarships through the Ministry of Education, as well as the Scholarship Unit are evenly distributed and are not gender dependent. However, those that are gender based are fifty percent to fifty percent and a few alternate annually i.e. male this year and female the next year. There are private agencies that award scholarships and they dictate their terms, but from the Government standpoint there is no obvious gender bias.

245. The process for awarding scholarships and award of scholarships is dependent on applications on a first come first serve basis followed by interviews. Gender is not an issue in selecting awardees and therefore short listing by gender is inconsequential since they are not chosen on that basis. Figures from the Scholarship Unit indicate that 55 of the ninety scholarships in 2004 were females. This number represents a 61 per cent of the total figure.

246. The report for the Fiscal Year April 2003/2004 for the **HEART Trust/NTA** states that 58 per cent of the 61 040 students enrolled are females; they are enrolled in Marginal Institutions, SDC Projects, SL-TOP (School Leavers-Training Opportunities Programme) and Community Based and other Special Projects. Female enrolment is low in the Apprenticeship and the Workforce Improvement

Programmes but for all of the other programmes there is a gender balance. Approximately 12,000 persons are enrolled in literacy programmes across Jamaica. Of this number, approximately 35 per cent are females. It is very important to note that there is no barrier to or discrimination against women enrolling in any programme of their choice.

247. Data collected over the period 2005-2008 from the University of the West Indies (UWI) Mona campus show that the number of women enrolled in the faculties of Gender Studies, Humanities; Law; Medical Sciences and Social Sciences exceeds the number of males registered in the same faculties. Graduation statistics also show that female students also maintain much higher rates of graduation from tertiary institutions than their male counterparts.

**TABLE 8: PROMOTION, REPETITION AND DROP-OUT RATES IN PUBLIC PRIMARY LEVEL EDUCATION  
BY GRADE AND SEX 2007/2008**

INTERNAL EFFICIENCY INDICATORS	GRADE					
	1-2	2-3	3-4	4-5	5-6	6-7
PROMOTION RATES	98.0	98.9	98.5	96.0	97.0	-
MALE	96.3	98.0	97.8	94.0	95.7	-
FEMALE	99.9	99.9	99.2	98.1	98.4	-
REPETITION RATES	4.4	1.4	1.1	2.3	2.3	10.8
MALE	5.8	1.9	1.5	3.3	2.8	10.9
FEMALE	2.5	0.8	0.8	1.5	1.6	8.8
DROP-OUT RATES	-2.4	-0.3	0.4	1.7	0.7	-
MALE	-2.1	0.1	0.7	2.7	1.5	-
FEMALE	-2.7	-0.8	0.2	0.6	-0.2	-

**TABLE 9: PROMOTION, REPETITION AND DROP-OUT RATES IN PUBLIC SECONDARY LEVEL EDUCATION  
BY GRADE AND SEX 2007/2008**

INTERNAL EFFICIENCY INDICATORS	GRADE					
	7-8	8-9	9-10	10-11	11-12	12-13
PROMOTION RATES	98.6	109.6	-	88.9	-	77.3
MALE	100.5	111.3	-	87.8	-	82.3
FEMALE	96.7	107.8	-	89.9	-	74.1
REPETITION RATES	0.4	0.4	0.9	1.1	3.5	0.5
MALE	0.7	0.6	1.5	1.7	7.0	2.3
FEMALE	2.8	0.9	0.6	1.3	1.8	10.7
DROP-OUT RATES	0.9	-10.0	-	9.9	-	21.4
MALE	-1.2	-11.9	-	10.5	-	15.4
FEMALE	2.9	-8.1	-	9.4	-	25.2

Promotion and drop-out rates from grades 9-10 and grades 11-12 cannot be calculated as most students in All Age and Primary & Junior High schools complete the secondary level at grade 9. For other secondary schools, students terminate at grade 11.

248. Tables 8 and 9 show the drop-out rates for males and females at the primary and secondary levels during the period 2007/2008. There are several factors that influence these rates including the fact that many students attend private institutions and this is not reflected in the data. While pregnancy may be the cause of the drop-out of some females at the secondary level, it is not a significant factor, especially at the lower grades.

249. The drop-out rate for females between grades 7 and 8 was considerably higher than for males, but at this age it is hardly likely that this is the result of pregnancy. Some of these girls may have been moved into private educational institutions. The drop-out rate for females is higher than males between grades 8 and 9 but less between grades 10 and 11. The disparities are however not very significant. The higher drop-out rate for females between grades 12 and 13 may be related to factors such as transfers to tertiary institutions or entrance into the job market.

*Table 10: Percentage of teachers that are women 2007-2008*

*By Sex and School Type*

	Male	Female	Total	Percentage women to men
Primary	113	324	437	74
All age	95	176	271	65
Primary and Junior High	36	54	90	60
Secondary	742	1,765	2,507	70
Total	986	2,319	3,305	

250. The data in Table 10 indicates that women still dominate the teaching profession at most levels, especially at the primary level. Although the numbers of male teachers are increasing, females continue to dominate.

*Table 11: Teaching Staff at the University of the West Indies*

Faculty	2005-06		2006-07		2007-08		2008-09	
	% Male	% Female	% Male	% Female	% Male	% Female	% Male	% Female
Humanities & Education	35	65	33	67	36	64	37	63
Law	50	50	50	50	50	50	50	50
Medical Sciences	54	46	52	48	49	51	49	51
Pure & Applied Sciences	66	34	69	31	64	36	66	34
Social Sciences	61	39	59	41	50	50	48	52
Total	54	46	52	48	49	51	50	50

Note: Full-time staff only.

251. The data in Table 11 shows that more females are concentrated in the Humanities and Education than in any of the other faculties. Trends also show a greater percentage of women in roles other than Professor and Lecturer.

**Table 12: Percentages of male and female staff members by post at the University of the West Indies, Mona Campus**

Post	2005-06		2006-07		2007-08		2008-09	
	% Male	% Female	% Male	% Female	% Male	% Female	% Male	% Female
Professor	69	31	70	30	69	31	67	33
Senior Lecturer	66	34	64	36	60	40	64	36
Lecturer	52	48	50	50	45	55	44	56
Assistant Lecturer	48	52	50	50	42	58	43	57
Other	18	82	23	77	30	70	46	54
Total	54	46	52	48	49	51	50	50

252. Table 12 indicates that since 2005, women maintained a strong presence in the teaching profession. At primary, junior high, all age schools and community colleges, there were more female principals, professors and senior teachers. Vocational and secondary schools have a higher presence of male principals. Colleges reflect equal share of power having equal male and female teachers. At the university level, there are no female principals.

**Table 13: PERCENTAGE OF TEACHERS/LECTURERS BY POST AND GENDER-2003/2004**

<i>Faculty</i>	<i>Professor</i>			<i>Senior Lecturer</i>			<i>Assistant Lecturer</i>			<i>Other**</i>			<i>Total</i>					
	M	F	T	M	F	T	M	F	T	M	F	T	M	F	T			
	Humanities & Education	5	4	9	10	12	22	17	35	52	2	7	9	3	19	22	37	77
Gender Studies	0	0	0	0	1	1	0	2	2	0	0	0	0	0	0	0	3	3
Law	0	0	0	1	0	1	0	1	1	0	0	0	0	0	0	1	1	2
Medical Sciences	16	9	25	20	15	35	41	51	92	1	2	3	5	8	13	83	85	168
Pure & Applied Sciences	8	4	12	13	1	14	27	24	51	5	2	7	9	10	19	62	41	103
Social Sciences	6	1	7	11	4	15	41	36	77	7	13	20	7	12	19	72	66	138
Other Units	0	0	0	1	0	1	0	0	0	0	0	0	8	2	10	9	2	11
<b>TOTAL</b>	<b>35</b>	<b>18</b>	<b>53</b>	<b>56</b>	<b>33</b>	<b>89</b>	<b>126</b>	<b>149</b>	<b>275</b>	<b>15</b>	<b>24</b>	<b>39</b>	<b>32</b>	<b>51</b>	<b>83</b>	<b>264</b>	<b>275</b>	<b>539</b>

### University of the West Indies - 2007/2008

Other academic Staff includes Research Fellows, Tutors, Deans, Directors, Managers Lab Technologists, Instructors, Foreign Language Assistants, and Teaching and Research Assistants.

253. In 2003 – 2004, men continued to outnumber women at the higher teaching posts such as Professor and Senior Lecturer. Women outnumber men at the Lecturer and Assistant Lecturer level in Humanities and Education, Gender Studies and Law. Tables 13-16 indicate that during the period 2007-2008, there were no significant shifts in the gender composition in the colleges.

**Table 14: Teachers' Colleges - 2007/2008**

<i>Institution</i>	<i>Principal</i>		<i>Vice Principal</i>		<i>Dean</i>		<i>Head of Dept.</i>		<i>Principal Lecturer</i>		<i>Senior Lecturer</i>		<i>Lecturer</i>		<i>Assistant Lecturer</i>		<i>TOTAL</i>		<i>GRAND TOTAL</i>
	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	
Bethlehem Church	1	-	-	3	-	-	1	1	1	1	2	3	7	32	5	7	17	47	64
Mico	1	-	1	2	1	-	3	9	-	1	8	7	20	83	-	2	34	104	138
Sam Sharpe	-	1	1	-	-	-	-	-	1	6	2	8	4	21	-	5	8	41	49
Shortwood	-	1	-	1	-	-	4	9	-	1	2	6	6	35	1	6	13	59	72
St. Joseph's	-	1	-	1	-	-	-	-	-	5	-	4	3	21	-	-	3	32	35
<b>TOTAL</b>	<b>2</b>	<b>4</b>	<b>2</b>	<b>8</b>	<b>1</b>	<b>-</b>	<b>8</b>	<b>19</b>	<b>4</b>	<b>20</b>	<b>17</b>	<b>35</b>	<b>44</b>	<b>212</b>	<b>7</b>	<b>20</b>	<b>85</b>	<b>318</b>	<b>403</b>
<b>GRAND TOTAL</b>		<b>6</b>		<b>10</b>			<b>1</b>	<b>27</b>		<b>24</b>		<b>52</b>		<b>256</b>		<b>27</b>		<b>403</b>	

Source: Statistics Unit, Planning and Development Division, Ministry of Education 2008

**Table 15: Community Colleges - 2007/2008**

<i>Institution</i>	<i>Principal</i>		<i>Vice Principal</i>		<i>Director</i>		<i>Head of Dept.</i>		<i>Principal Lecturer</i>		<i>Senior Lecturer</i>		<i>Lecturer</i>		<i>Assistant Lecturer</i>		<i>Instructor</i>		<i>TOTAL</i>		<i>GRAND TOTAL</i>
	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	
Brown's Town	1	-	-	1	-	-	-	-	-	1	4	6	4	8	13	22	-	-	22	38	60
Exced	-	1	1	1	-	-	-	-	3	6	7	14	9	22	30	16	-	-	50	60	110
Knox	1	-	-	1	-	-	-	-	2	8	7	13	13	25	20	16	-	-	43	63	106
Montego Bay	-	1	-	1	-	-	3	5	-	-	3	10	5	9	24	21	-	-	35	47	82
Portmore	-	1	1	-	1	-	-	3	-	3	3	7	11	22	8	9	-	2	24	47	71
<b>TOTAL</b>	<b>2</b>	<b>3</b>	<b>2</b>	<b>4</b>	<b>1</b>	<b>-</b>	<b>3</b>	<b>8</b>	<b>5</b>	<b>18</b>	<b>24</b>	<b>50</b>	<b>42</b>	<b>86</b>	<b>95</b>	<b>84</b>	<b>-</b>	<b>2</b>	<b>174</b>	<b>255</b>	<b>429</b>
<b>GRAND TOTAL</b>		<b>5</b>		<b>6</b>			<b>1</b>	<b>11</b>		<b>23</b>		<b>74</b>		<b>128</b>		<b>179</b>		<b>2</b>		<b>429</b>	

**Table 16: G.C. Foster College of Physical Education and Sports - 2007/2008**

<i>Institution</i>	<i>Principal</i>		<i>Vice Principal</i>		<i>Principal Lecturer</i>		<i>Senior Lecturer</i>		<i>Lecturer</i>		<i>Assistant Lecturer</i>		<i>TOTAL</i>		<i>GRAND TOTAL</i>
	<i>M</i>	<i>F</i>	<i>M</i>	<i>F</i>	<i>M</i>	<i>F</i>	<i>M</i>	<i>F</i>	<i>M</i>	<i>F</i>	<i>M</i>	<i>F</i>	<i>M</i>	<i>F</i>	
G.C. Foster College of Physical Education and Sports	1	-	1	-	-	-	-	2	9	12	-	1	11	15	26
<b>TOTAL</b>	1	-	1	-	-	0	-	2	9	12	0	1	11	15	
<b>GRAND TOTAL</b>			1			1		0		2		21		1	26

Source: Statistics Unit, Planning and Development Division, Ministry of Education 2008

### Article 11: Employment

**State Parties shall take all appropriate measures to eliminate discrimination against women in the field of employment in order to ensure on a basis of equality of men and women, the same rights, in particular, the right to work as an inalienable right of all human beings the right to the same employment opportunities, including the application of the same criteria for selection in matters of employment.**

254. Women have been making strides in the area of employment, the female labour force is on the rise and Jamaica is putting mechanisms in place to eliminate discrimination against women in this area on the basis of equality for men and women.

255. The **Job seeking rate** shows 2:1 ratio of females to male job hunting practices (2005); females 8.3 percent and males 4.1 per cent. This ratio is consistent with the overall unemployment ratio of females to males of 2:1. An analysis of the **employed labour force by occupational group and sex** illustrate a gender differential with respect to employment areas as compared with the percentage of labour force participant within each group (2008). Within the female ranks of the paid labour force the distribution of the female employment is less uniformed.

256. Data compiled by the Statistical Institute of Jamaica (STATIN) in the **Labour Force Survey 2008 Statistics**<sup>40</sup> and published in the Jamaica Gleaner (2009) showed that the employed female labour force increased by 9,700 persons or 1.9 per cent in October 2008 over the previous year while

<sup>40</sup> Statistical Institute of Jamaica (STATIN)

female unemployment declined by 2.9 per cent. Unemployment is still greatest among women. The figures show that of the 134,000 unemployed persons, 81,000 were women.

257. An analysis of the 2008 **employed labour force by occupational group and sex** illustrate a gender differential with respect to employment areas as compared with the percentage of labour force participant within each group. Within the female ranks of the paid labour force the distribution of the female employment is less uniformed.

258. Amendments were made to the **Minimum Wage Act** in 2007, to allow women to improve their financial status on a basis of equality with men. The **Women (Employment of) Act** is being reviewed to dispense with provisions which may be viewed as discriminatory to women. Amendments to the **Women (Employment of) Act** are proposed in keeping with flexi-time arrangement to be introduced and if accepted to be made into law.

259. Section 9 of the **Employment (Equal Pay for Men and Women) Act** allows for designated officers to visit the premises of any employer and to request that wage sheets and records of remuneration be produced for inspection. After reviewing the documents, the officer will be able to ascertain if men and women are being paid at different rates<sup>41</sup>.

260. The unpaid contribution of women to the household is covered under the **Family Property (Rights of Spouses) Act 2004** when there is the dissolution of a marriage or a breakdown of a common-law union of five years or more.

261. A Green Paper on the introduction of a flexible work week was tabled in Parliament in December in 2001 and the **National Flexi-time Policy** has been in draft phase for a long time. The Human Resource Management Association of Jamaica (HRMAJ) endorses the proposal as it will increase inter alia, labour force productivity levels with extended business hours, improve access to services outside of the regular work hour, ease traffic congestion and reduce the energy bill. The GOJ is also currently considering the formulation of an annual productivity index. This is intended to provide women and men with more flexibility at the workplace. This will allow more time for family relations.

262. Representatives from the BWA participated in a session on the **National Flexi-time Policy** and made a submission. The presentation indicated that care work is mainly done by women, but increasingly more and more men are contributing. The BWA in its submission encouraged equal sharing of responsibilities between men and women. This will allow women more control over the allocation of time with regards to the performance of their triple roles.

263. The **Labour Relations and Industrial Disputes Act** is being amended to facilitate the hearing of cases which involve non-unionized workers by the Industrial Disputes Tribunal (IDT). The Bill was passed in the House of Representatives on October 6, 2009 and will be debated in the Senate shortly. Discriminatory practices against women can be addressed by the IDT.

264. During the review period, there was greater emphasis on youth employment projects within the MLSS which has led to the implementation of the **Special Youth Employment and Training Project (SYEAT)**. In 2008, the number of youth participants (14-24 yrs.) decreased by 9.8 per cent to 143 300 persons or 12.4 per cent of the labour force.

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<sup>41</sup> Ministry of Labour



265. Studies at the University of the West Indies show that women on average are earning 91.4 cents to every dollar earned by men, a gap which translates to just over \$101,000, or 8.6 per cent annually. Research also indicates that **more women gain employment than men**; however the statistics do not capture the quality of jobs or comparative pay scales between the sexes. STATIN's last labour force survey of October 2008 indicates that the number of employed females increased by 9,700 or 1.9 per cent (from 499,800 in October 2007 to 509,500 in 2008)<sup>42</sup>.

266. To add to this, a study conducted in 2008, indicated that only 16 per cent of places on boards of publicly listed companies in the sample were occupied by women. Women occupied only 14 per cent of **board membership positions**. Among men, a higher percentage (64.1) than women (42.3) reported serving on multiple boards.<sup>43</sup>

267. Almost 65 per cent of the **female Board members** were employed with the Government, compared with 42.8 per cent of the male members. This may be reflective of instances where persons who occupy certain public sector positions are required by law to sit on prescribed Boards which fall within their respective portfolios. In view of the dominance of women in managerial areas in the public sector these statutorily mandated Board positions may be filled by women but there is no guarantee as some women are still inadequately represented on Boards.

268. The study further revealed that more women serve in areas such as early childhood education, training or the service sector. Women were markedly absent on Boards in the sample which dealt with financial management and investment in the public or private sector. Few women were found on boards of major corporate organisations or in traditionally male-dominated fields such as transportation and agriculture.

269. Despite the fact there are not many women on Boards and Commissions, increasingly women have been able to advance to top management positions. The BWA has been recognising these women by sending congratulatory letters to acknowledge and encourage them to strive for positions of leadership. Over the period March 2008- September 2009, thirty-two (32) women in both public and private sector were specially recognized for being appointed to positions of **power and decision-making**.

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<sup>42</sup> Financial Gleaner, 2009 p. 8

<sup>43</sup> Gender and Governance: Implications for the participation of Women on Boards and Commissions in Jamaica (2008)

## Article 12: Equality in Access to Health Care

**State Parties shall take all appropriate measures to eliminate discrimination against women in the field of health care in order to ensure, on the basis of equality of men and women, access to health services, including those relating to family planning.**

**State parties shall ensure to women appropriate services in connection with pregnancy, confinement and the post-natal period, granting free services where necessary, as well as adequate nutrition during pregnancy and lactation.**

270. Women have equal access with men to the health services in Jamaica; in fact, accessibility to basic health care services has been bolstered by the Government's **removal of user fees** on April 1, 2008<sup>44</sup>. This service is provided at all at public sector health facilities with the exception of the University Hospital of the West Indies. This initiative affords greater benefits to women in need of medical attention beyond obstetric needs since women are the main users of public health facilities.

271. The **National Health Fund (NHF)** and the **Jamaica Drug for the Elderly Programme (JADEP)**<sup>45</sup> are also Government programmes geared at providing Jamaicans with greater access to drugs at a reduced price. While these programmes are not gender specific, women are afforded greater access to benefits since the life expectancy rates for women are higher.

272. To address the high rates of pregnancy among adolescent girls, the Government of Jamaica continues to raise awareness among adolescents through the **Ministry of Health** and the **National Family Planning Board**. The public education sessions include the provision of information on the use of various contraceptive methods through various training, sensitization and counselling services.

273. The **Women's Centre of Jamaica Foundation (WCJF)**<sup>46</sup> continues to support the sexual and reproductive health needs of adolescent mothers who were enabled to continue their education and to reduce the risk of second pregnancies. During 2008, the programmes served 1 527 adolescent mothers, of whom, 873 were first time mothers. Through the WCJF, a total of 652 girls were assisted to return to the formal education system and complete their education.

274. There is on-going in-service education for all categories of health care workers and this includes inter-personal relations and provision of youth-friendly services. This helps to highlight the needs of special groups such as the disabled and the adolescent and helps to eliminate barriers or discrimination, if any, against clients/patients including women.

275. Medical care for women during the antenatal, intranatal and postnatal periods is free in the government facilities which provide about 96 per cent of the hospital beds and provide about 65 per cent of the primary care services.

276. The health sector seeks to ensure adequate nutrition to pregnant and lactating women through nutrition counselling and the provision of supplements such as iron, and multivitamins where possible. It is estimated that 90 per cent of women receive some amount of prenatal care with an average of 4 visits for each pregnancy. **The Programme for Advancement through Health and**

<sup>44</sup> Ministry of Health- Annual Reports

<sup>45</sup> National Health Fund- Annual Reports

<sup>46</sup> Women's Centre Foundation of Jamaica- Annual Reports

**Education, (PATH)**<sup>47</sup> is a Government programme also aimed at providing extra assistance to pregnant and lactating women, as a part of its core objectives.

277. There are 322 public health clinics and the 23 government hospitals and they are all available to women. There is one dedicated maternity hospital in Jamaica, the Victoria Jubilee Hospital, which accounts for some 25 per cent of all the deliveries annually. All the private health facilities including the 10 private hospitals are accessible to women and girls. All the 4,401 government employed health care workers are responsible to ensure that women and girls are allowed to access sexual and reproductive health services. (See Table 17)

**Table 17: Female Adolescent Visits to Health Clinics for 2006, 2007 and 2008**<sup>48</sup>

Year	St. K.S.A	St. Thomas	St. Catherine	St. Port.	St. Mary	St. Ann	St. Trelawny	St. James	St. Hanover	St. Westmoreland	St. Elizabeth	St. Manchester	St. Clarendon	Total
2006	5,624	879	3,895	747	1,214	1,463	807	1,792	609	1,397	1,514	1,488	1,966	23,395
2007	5,707	806	3,831	712	1,278	1,587	772	1,769	699	1,583	1,482	1,678	2,050	23,954
2008	6,696	844	4,502	611	1,321	1,807	860	1,366	802	1,491	1,490	1,640	2,491	25,921
Change(%) 06-08	19	-3.9	15.6	18.2	8.8	23.5	6.6	-23.7	31.7	6.7	-1.6	10.2	26.7	10.8

278. The major causes of female mortality are endocrine/nutritional/metabolic disorders, cardiovascular diseases, malignant neoplasms (cervix, breast), diseases of the respiratory system, and accidents and injuries. Obstetrics is also a major cause of female mortality. The maternal mortality rate stands at 95 maternal deaths per 100,000 live births. This can be attributed to the increase and better access to the provision of sexual and reproductive health services for women as well as increased public education in the respective areas. The average number of live births per woman stands at 2.5.

279. There has also been a marked improvement in the infant mortality rate which is 19.8 per 1,000 live births. The child mortality rate is 27 per 1,000 live births. The leading causes of infant mortality and morbidity are conditions relating to the perinatal period, congenital malformations, deformations and chromosomal abnormalities (largely unpreventable), HIV/AIDS and nutritional deficiencies.

280. Women are not only greater recipients of **health services**; they also dominate the health field as workers. Almost 80 per cent of the public health work force is female in all capacities including orderlies, community health aids, nurses, public health inspectors, medical officers of health and

<sup>47</sup> Ministry of Labour & Social Security – Annual Reports

<sup>48</sup> The National Family Planning Board's -Annual Statistical Reports 2007 and 2008

national programme directors. The Chief Medical Officer and the Permanent Secretary in the Ministry of Health are females and this has been the trend for many years<sup>49</sup>.

281. **Abortion** is not legal in Jamaica but it is available privately and by other means as allowed by the Statement on Abortion. The Abortion Policy Advisory Group has submitted to Parliament through the Minister of Health the recommendations for legislation to address issues relating to abortion. A number of submissions from both Pro-Life and Pro-Choice groups were also made to the Parliamentary Committee on Abortion. Currently, discussions are taking place on this issue as well as wide scale consultations in urban and rural parishes.

282. The public hospitals offering maternity services provide post-abortion care, and care for incomplete abortions for women free of cost. Private hospitals and private physicians including Obstetricians/ Gynaecologists also provide this care, but for a fee<sup>50</sup>.

### **HIV/AIDS**

283. There are various measures which have been introduced in Jamaica to increase public awareness of the risk and effects of STIs particularly HIV/AIDS. There is a strong **Behaviour Change Communication programme** with peer educators using the face to face methodology as well as mass media campaigns and programmes. These programmes also utilize persons living with HIV/AIDS to bring a face to the disease and make the information more realistic. Many of these programmes target women and adolescent girls as the rate of HIV transmission in girls 17-24 years is the second highest.

284. There have been a number of programmes introduced to combat HIV/AIDS and other STIs. These offer special services to women e.g. the antenatal testing for 90 per cent of HIV positive antenatal women and the provision of ARVs for 87 per cent of HIV positive antenatal women for the **Prevention of Mother-To- Child Transmission (PMTCT) programme**. The promotion of dual method contraceptive use, that is, the use of condoms along with a more reliable contraceptive method such as the pill or injection is also offered. Other programmes include the teaching of condom negotiation skills and the introduction of the female condom in partnership with UNFPA in order to empower women and girls. The BWA assists with public education, promotion and distribution of female condoms (FC2) not only as a contraceptive but also to combat the spread of HIV/AIDS<sup>51</sup>. Several members of the BWA Staff also received training at local and international levels.

285. In addition to the programmes instituted by the Government, the **Jamaica Network of Seropositives (JN+)** is an organisation registered to operate as an independent network comprising mainly Persons Living with HIV/AIDS (PLWHA) in Jamaica. In 2005, JN+ through assistance from the Global Fund and through partnership with the (National AIDS Committee) NAC extended its reach to members of the vulnerable population. These include revitalised existing support groups and formed new ones; established a mechanism to capture reports on stigma and discrimination; developed and maintained a website; built capacity of members to advocate for their rights; trained persons as peer links; and, provided honoraria for PLHIV participation.

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<sup>49</sup> Ministry of Health - Annual Reports

<sup>50</sup> Ibid

<sup>51</sup> BWA's National Reports 2003-2009

286. Statistics from the Ministry of Health indicated that during the period, HIV /AIDS and sexually transmitted infections (STIs) together have hit the young and productive age groups hardest, and are the second leading cause of death for both males and females in the 15 to 24 age cohort. HIV/AIDS case rates show men leading but indicate a narrowing of the gap between male and female due to the increasing feminization of HIV/AIDS<sup>52</sup>.

287. All 14 parishes are affected with the most urbanized parishes (Kingston & St. Andrew, St. James and St. Catherine) continuing to have the highest HIV and AIDS case rates. Commercial Sex Workers (CSWs) and their clients along with adolescent girls are among the population identified as being most at risk.<sup>53</sup> All efforts are being made to educate as well as to provide health care services for at-risk-groups, many of which are women and girls.

288. The implementation of the **PMTCT** programme at all major hospitals and health centres in 2004, resulted in the testing of at least 90 per cent of pregnant women who attend antenatal clinics. About 75 per cent of HIV infected pregnant women and 85% of HIV-exposed infants received antiretroviral (ARVs) to prevent mother-to-child transmission in 2006, leading to a significant decrease in vertical transmission of HIV.

289. HIV screening for access to ARV for HIV positive pregnant women was put in place for 90 per cent of public sector antenatal clinic attendees (28,000 in 2004 as compared to 4,000 in 2002) and more than 50 per cent of STI Clinic attendees (19,000 in 2004).<sup>54</sup>

290. Special attention has been placed on the use of women, including commercial sex workers, as community peer educators for the HIV/AIDS Prevention Programme. All health care workers including females have been trained in HIV/AIDS prevention and females with HIV/AIDS have been used as part of the health team for community peer education and health promotion.

291. The BWA in addressing HIV and AIDS prevention received financial assistance from the Global Fund in order to address the underlying causes of the feminization of HIV/AIDS<sup>55</sup>. In addition the BWA's intervention demonstrated the correlation between gender-based violence (GBV), the spread of HIV/AIDS and other sexually transmitted infections (STIs). Objectives of the BWA's activities under the **HIV/AIDS Prevention Programme** included the promotion of gender equality through addressing gender stereotypes, cultural norms and relations to reduce the vulnerability of selected youth aged 15-24 years. The programme also involved structured targeted intervention among the vulnerable population (15-24) to promote behaviour change in order to prevent the spread of HIV/AIDS and other STIs. During the period, September 2007- May 2008, a total of 1 225 interventions were conducted to target youth who were vulnerable to HIV/AIDS and other STIs. Other sexual and reproductive issues as well as gender issues were also incorporated in the public education programme.

292. Along with HIV/AIDS, gender-specific cancers are a growing threat to the Jamaican population and a concern among health practitioners. The Jamaica Cancer Society continues to focus on public awareness for the prevention and early detection of cancer. During the period 2003-2009, as a part of

<sup>52</sup> Ministry of Health - Annual Reports

<sup>53</sup> HIV and AIDS in Jamaica: National Strategic Plan 2007-2012, October 2007 Draft, pg 2

<sup>54</sup> Pg 21

<sup>55</sup> BWA's HIV/AIDS Prevention Project Report 2008 – "HIV & AIDS: A Gendered Perspective"

its public education campaign, the Jamaica Cancer Society has been engaged in public education on specific health issues such as on breast and cervical cancers.

293. The BWA has partnered with the Jamaica Cancer Society to provide specific health services including mammograms, screening and diagnosis for cervical and prostate cancers after which referrals are made to the appropriate hospitals. In 2008, for example statistics indicate a marked increase in the number of women doing mammograms and being screened for cervical cancer. Approximately 100 (1.5 per cent) of the total women who did a mammogram were provisionally reported with a positive diagnosis for breast cancer.<sup>56</sup>

294. The BWA also supports and facilitates health fairs in order to increase women's access to health care by going into remote, rural communities as well as inner-city communities. Overall, women attend the health facilities more than men and therefore they routinely practise better health-seeking behaviours. This might contribute to women outliving their male counterparts.

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<sup>56</sup> Economic and Social Survey Jamaica, 2008: PIOJ, Chapter 23.11

### Article 13: Social and Economic Benefits

(a) **The right to family benefits**

(b) **The right to bank loans, mortgages and other forms of financial credit**

(c) **The right to participate in recreational activities, sports and in all aspects of cultural life**

295. The major focus over the period has been the provision of social services as well as the creation and strengthening of enabling legislative and regulatory environments, designed to protect the most vulnerable groups. These include children and youth, senior citizens, women, persons with disabilities, the poor and those who reside in deprived and rural communities. In addition to Government initiatives, there was the involvement of several stakeholders and concerned groups of non-governmental organisations (NGOs), the private sector, faith-based groups, academia, and international development partners (IDPs) through funding support and technical inputs.

296. Under the Social Safety Net Reform Programme, the GOJ introduced a new project, the **Social Protection Project (SPP)** in order to place emphasis on job creation, income support and to provide options for further skills training and increased involvement of women and men. The project is funded by the World Bank and was implemented through the Ministry of Labour and Social Security (MLSS) in collaboration with the Ministry of Finance & the Public Service as well as the Planning Institute of Jamaica (PIOJ).

297. The project has four components of which women are the chief beneficiaries of the expanded range of services. These include improving the effectiveness of the **Programme of Advancement Through Health and Education (PATH)**, building capacity for the **Steps to Work Programme**<sup>57</sup> and expanding participation in Social Insurance and Pensions schemes as well as building capacity for Reform and Development of a comprehensive social protection strategy inclusive of the institutional strengthening of the Jamaica Council for Persons with Disabilities.

298. The **Social Protection Programme** continued to provide employment especially for women as heads of households through coordination with local government and other private and public sector organizations. This is geared towards reducing the unemployment rate among women and to provide them with viable options towards improving their access to social and economic benefits and resources. In terms of legal provisions, the Jamaica Labour Laws and other such legal provisions exist to protect all Jamaicans against biases or discrimination, and are therefore applicable to all private sector organizations.

299. In December 2003, the Ministry of Labour and Social Security introduced **NI GOLD Health Plan**. This health care programme provides medical insurance for pensioners on the National Insurance Scheme (NIS). The programme is administered by Blue Cross of Jamaica (renamed

<sup>57</sup> The **Steps-to-Work Programme** is a two-year pilot initiative under the International Development Bank (IDB) Programme coordinated by the Ministry of Labour & Social Security (MLSS). It focuses on capacity-building to empower PATH households/beneficiaries to acquire marketable skills toward productive employment which is geared towards assisting and empowering the beneficiary to become an agent of change. The project targets 10 900 individual men and women. Achievements include the staging of Employment Opportunities. Fairs are held to bring together information and referral services as well as the screening and referral of 4000 households from the pilot parishes of Kingston, St. Andrew, St. James, Trelawny, Clarendon and Manchester. Stakeholder partnerships include HEART Trust /NTA, National Youth Service, Jamaica Foundation for Lifelong Learning (JFLL & the, Jamaica Business Development Corporation (JBDC).

Sagikor) and provides medical assistance to male and female pensioners. It also assists to defray the cost of prescription drugs, dental and optical services, diagnostic services, doctors' visits, hospitalization and surgery to pensioners. This plan covers individuals and therefore does not include family benefits; however, women are the major beneficiaries of these services.

300. The Ministry of Health introduced a social health insurance scheme in the form of the **National Health Fund (NHF)** in October 2003. Under this plan, women and men who suffer from one or more of fourteen **pre-defined chronic illnesses** are able to access drugs covered under the plan at a subsidized cost. In order to increase the provisions to beneficiaries, the number of chronic illnesses covered under the **NHF** was increased to fifteen **pre-defined chronic illnesses** in 2005. This includes coverage for benign prostatic hyperplasia or enlarged prostate in men.

301. With the exception of "maternity leave", **staff benefits (including financial credit)** within the public sector are not gender specific, but are based on employment terms and conditions such as years of service, employment status (permanent or temporary), and rank. Women are the predominant beneficiaries since they outnumber men in the public sector.

302. The strategic framework for the provision of social protection includes several national policies relating to population, senior citizens, disability, poverty, youth and child protection such as the **National Policy for Senior Citizens**. In addition, programmes and projects have expanded in scope and increased benefit levels particularly among poor and vulnerable women.

303. The **Income Tax Act** has been amended, to allow the term 'spouse' to include a single woman who has lived and cohabited with a single man for a period of not less than five years immediately preceding the date of his death. This amendment entitles a common law spouse to greater lump sum benefits under approved retirement schemes in the event of her spouse's death. The benefit is conditional as it is based on proof of income tax contribution.

304. The **National Policy for Gender Equality** will serve to guide a multi-faceted and multi-sectoral approach to gender equality, transform gender prevailing ideologies in regards to equity and governance and to create a socio-economic environment free of discrimination on the basis of sex. In addition, it will facilitate emerging gender issues such as the impact of trade and climate change on women as well as the impact of information communication technology and disaster mitigation procedures on women particularly vulnerable rural women.

305. Several other policies were introduced to improve the provision of social and economic benefits to a wide cross section of persons particularly the poor and vulnerable. The **National Policy on Youth, 2004** aims to foster the creation of an environment to optimize the potential of youth for national development and empowerment. The Policy focuses on the completion of secondary level education, creates opportunities for employment and promotes entrepreneurship, healthy lifestyles and physical and mental health as well as the development of culture.

306. There are several other policies which are geared towards improving the provision of social and economic services and benefits, a short list is provided below:

307. The **National Policy for Senior Citizens** was designed to ensure adequate provision for the protection and care of all senior citizens particularly indigent and widowed women as well as to integrate them more fully in the national development process. Through the policy, the GOJ intends



to meet the social protection needs of senior citizen by ensuring that their basic needs are met and provide protection from abuse and violence.

308. The **National Council for Senior Citizens** also promotes the involvement its members in social and economic activities. Some of these include senior citizens club in each parish which are comprised of a high percentage of women who are able to benefit from the programmes and services offered.

309. The **National Policy for Persons with Disabilities** continues to focus on the human rights of persons with disabilities to improve their status and enable them to benefit from better quality of life in areas such as education, employment, health, housing, transportation and accessibility to all areas of society. The Bureau continues to work with persons with disabilities to provide training and awareness- raising activities around specific legal and other issues especially gender-based violence.

310. Women's participation in recreational activities, including sports is recognized as an avenue to nation building and community development. In this regard, women continue to excel in spite of financial challenges in the sporting arena. This is evidenced by the achievements in general, and more specifically, at the games of the 29<sup>th</sup> Olympiad, Beijing China in August 2008 and more recently at the IAAF in Berlin, Germany in August 2009.

311. Other social agencies including the **Jamaica Social Investment Fund (JSIF)** and the **Social Development Commission (SDC)** in partnership with other stakeholders have facilitated community based interventions and have assisted in the provision of infrastructure towards building social capital and enhancing public safety through sports and other recreational activities.

312. The **Jamaica Social Investment Fund (JSIF)** continued to implement projects to impact women's earning ability. They facilitate the empowerment of women and men in urban and rural communities, in particular, rural communities to provide assistance in capacity-building towards poverty reduction. Through JSIF, special social projects are implemented in vulnerable and depressed communities towards the achievement of Goal three of the MDGs i.e. to achieve gender equality and the empowerment of women. The projects implemented by JSIF benefit women directly as they increase women's economic productivity towards improving their household life and food security.

313. With regards to educational and other social benefits, the **Programme of Advancement Through Health and Education (PATH)** is a cash transfer benefit under the **National Poverty Eradication Programme (NPEP)**. **PATH** targets beneficiaries in poor and vulnerable households and is conditional upon guidelines for school attendance and health centre visits<sup>58</sup>; as well as on behaviour change. The programme provides range of benefits to a large number of families administered through women who are head of households. (See Table 18, p. 72)

314. The **NPEP** was expanded from 236, 000 to 360, 000 beneficiaries in response to economic challenges<sup>59</sup>. In order to improve the socio-economic status, the baseline benefit was increased in April 2008. **PATH** allows beneficiaries (mainly women, youth and children) to access a wide range of social benefits and has facilitated an increase in access to preventative health care services. Health

<sup>58</sup> Children 0-12 months are required to visit the health centres every two months and children 1-5 yrs are required to visit the health centres every six months

<sup>59</sup> (ESSJ, 2008)

care visits for children 0-6 years increased by 38 per cent. The programme outcomes of PATH in the period 2007 alone include increased administrative efficiency through programme delivery which significantly reduced administrative costs.

315. Other national programmes were also introduced to facilitate the development and social integration of persons with disabilities and coordinated by the Jamaica Council on Persons with Disability (JCPD) to assist disabled women and their families to access social and economic benefits provided by the Government of Jamaica.

**Table 18: PATH Beneficiaries by Category Paid December 2008<sup>60</sup>**

<i>Beneficiary Category</i>	<i>Total Recipients</i>	
	<i>2008</i>	<i>(%) 2008</i>
Health (0- under 6 yrs)	48 524	17.5
Education (6-17 yrs)	155 265	
Elderly	44 723	56.1
Disability	9 570	16.1
Pregnant/Lactating	930	3.45
Adult Poor*	901	0.34
Poor Relief/PAD*	16 794	3.3
		6.0
<b>TOTAL</b>	<b>276 707</b>	

316. The **National Insurance Scheme (NIS)** is a minimum guarantee public scheme designed to mitigate risks to income at retirement. Over the review period, Government approved increases ranging from 15 - 66.0 per cent of benefits and grants across all categories of beneficiaries. Pensioners in the category of 'old age' constitute the majority of recipients totalling 60 494 representing a decline of 5.5 per cent over 2008. This will allow women who have retired from the public service to have a guaranteed income.

317. The modernization of the **Land Administration and Management Programme (LAMP) Project** which began in 2002 has resulted in the issuing of 520,709 new Certificates of Titles. The **LAMP** project is to be institutionalized as a unit in the Ministry of Agriculture and Fisheries and will undertake the **land tenure regularization** on behalf of the National Housing Trust to produce 3000 Certificates of Titles. This is intended to **improve the standard of living of women** and their families as well as to **remove the structural barriers to land ownership**.

318. In 2006, **home ownership** was higher in rural areas (68 per cent) than in KMA (48 per cent) and other towns (65 per cent). Through the Ministry of Agriculture and Fisheries the **Squatter Management Policy** assesses the scope of existing unplanned and illegal settlements as well as the settlement patterns. Homelessness is managed through the Board of Supervision with a budgetary allocation. Specific programmes have been introduced towards the **rehabilitation and reintegration of homeless persons into communities** as well as the provision of indigent housing.

<sup>60</sup> ESSJ (2008) and Jamaica 2015: National Progress Report 2004-2006.

The category of Adult Poor was not included in the pilot year (2002) instead the category of 'other destitute poor' was used instead. The category of Poor Relief/PAD was absent from the pilot.

319. There has been an **increase in loan activity** such as the accessing of bank loans, mortgages and financial credit in commercial banks. Other organisations such as the Jamaica Social Investment Fund (JSIF), Micro Investment Development Agency, Jamaica Trade and Invest, credit unions, thrift societies and other capacity-building organisations, provide resources to the community and offer forms of support to women to assist in the provision of equal access to social and economic benefits.

320. Through **Vision 2030 National Development Plan**, the Government of Jamaica reaffirms its commitment to policy and programmes which are critical to the viability of micro, small and medium sized enterprises (MSMEs). Emphasis is placed on stakeholder collaboration, complemented by empirical studies to assess the profile, competitiveness and challenges of the sector in order to identify and implement strategies to accelerate economic growth. This will ultimately benefit several women who are involved in commercial activities whether in urban centres or in the rural areas.

321. The Government initiated a stimulus package to increase the availability of funds for credit in **micro, small and medium sized enterprises** to offset the effects of the vulnerability of this sector due to the impact of globalization and the financial crisis on the domestic economy. This will ultimately improve the socio-economic status of women and their families and improve the efforts to monitor the impact of globalization and the financial crisis on women.

322. A project was implemented under the **Private Sector Development Programme (PSDP)** was initiated in 2004 to provide financial assistance to business operators in Jamaica. The programme also aimed at increasing the capacity of the productive and service sectors as well as their intermediary private sector and support institutions to grow their business and improve their competitiveness<sup>61</sup>. In order to ensure equality of opportunity to all persons, a new initiative, the **Economic Empowerment Grant** was allocated to the **Jamaica Council for Persons with Disabilities** to fund small business ventures among other social and economic activities. This was geared towards providing assistance to a large number of disabled women and their families who were involved in small business ventures.

323. The **Micro Finance Fund (GOJ/ MicroFin)** Development Options limited (DOL) acts as a wholesale agent for the micro enterprise loan programme to manage the GOJ/ Micro Finance Fund. Through the Fund several financial institutions, namely, the Micro Investment Development Agency (MIDA), Development Options limited and Pan Caribbean Financial Services (PCFS) are responsible for the wholesale financing of businesses in the MSE sector. During the period under review, total financing offered to micro enterprises increased and resulted in direct and direct benefits to women involved in small business ventures.

324. **International Development Partners** such as the United States Agency for International Development (USAID), the Inter-American Development Bank (IDB), the Canadian International Development Agency (CIDA) and the European Union (EU) continued to support the MSMEs sector through the provision of financing and training assistance (ESSJ, 2008).

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<sup>61</sup> ESSJ, 2008

**Table 19: Micro Fin Disbursements, 2008<sup>62</sup>**

	<i>No. of loans Males</i>	<i>No. of Loans Females</i>	<i>Total loans</i>	<i>Total (\$)</i>	<i>% of total</i>	<i>Average Loan Size (\$)</i>
First Union Financial Co.	92	306	398	34 8150 00	16.0	87 475
Access Financial Services	635	2132	2767	114 605 000	53.6	41 419
NDFJ	56	117	173	22 205 000	10.4	128 353
COPE Ltd.	116	321	437	27 027 000	12.0	61 847
MIDA	n/a	n/a	n/a	15 000	7.0	n/ap
TOTAL	899	2876	3775	213 652 000	100.0	n/ap

325. The table indicates that a total of 3,775 loans were redistributed across five lending agencies. In a majority of cases the data were sex-disaggregated in terms of the number of loans distributed at the agency level. Females account for 76.1 per cent of the total loans recipients.

### Emerging Issues

326. In addressing the issue of environmental degradation which impact directly and indirectly on women's health and safety concerns, several policies and projects were developed. Some of which include the **Integrated Water and Coastal Areas Management (IWCAM)** which addresses institutional and human resource capacity building, environmental stewardship and best practices and lessons learned to guide effective management of coastal and watershed areas.

327. **The Natural Hazards Management Project (2006)** seeks to manage the protected and bio-diversity-rich areas, particularly those in critical states. In addition, under the **Environmental Foundation of Jamaica (Environmental Conservation and Management)** several projects were implemented to reduce environmental degradation. This has a direct impact on women since they are users and beneficiaries of the environment.

328. **The GEF Projects** implemented in 2006-07 include Watershed Management for Disaster Reduction in the Blue and John Crow Mountains National Park Buffer Zone, and addresses land degradation and habitat loss among other areas. The Sustainable Land Management and Livelihood project in the Upper Rio Grande Valley trained many women and men in management, and as a result, over 5 hectares of land were reforested.

329. With regards to the **mainstreaming of gender in natural hazard risk reduction**, the Bureau participated in a regional forum which was hosted by Caribbean Disaster Emergency Response Agency (CDERA) and as a result the Bureau made a commitment to further partner with the Office of Disaster Preparedness and Emergency Management (ODPEM). In 2003, the Bureau explored the issue of the **Management of Water by Women** in observance of the International Year of Fresh

<sup>62</sup> Development Options Limited - The table below indicates that a total of 3775 loans were redistributed across five lending agencies. In a majority of cases the data were sex-disaggregated in terms of the number of loans distributed at the agency level. Females account for 76.1 per cent of the total loans.

Water. In addition, a gendered perspective was used to further examine the **differential impact of gender and climate change on women** at the observance of International Women's Day in March 2006.

330. Further to this, the issue will be analysed through the implementation of the **National Policy for Gender Equality**. The Bureau has also sought to establish a Gender Focal Point in OPDEM and has participated in a research activity on the **effects of natural disasters** which was spearheaded by the Institute for Gender and Development Studies, UWI, Mona.

#### **Article 14: Rural Women**

**State Parties shall take into account the particular problems faced by rural women and the significant roles which they play in the economic survival of their families, including their work in the non-monetized sectors of the economy and shall take all appropriate measures to ensure the application of the provisions of this Convention to women in rural areas.**

331. The Jamaican Government is committed to meeting the needs of rural women, and to ensure their representation at all levels in organisations involved with development and planning. The BWA has been involved in extensive public education and programmes geared toward the empowerment of rural women through skills training and income generating activities.

332. Through the BWA, **Rural Agricultural Development Authority (RADA)** and the **Jamaica Network of Rural Women Producers (JNRWP)** many rural women's groups are organised around economic activities in agriculture and related enterprises.

333. Other initiatives such as the **Rural Electrification Programme** and the **Lift Up Jamaica** programme have been instituted to assist several rural women including female-headed households to provide for the needs of their families through community involvement such as the repairing, and upgrading of community centres and other buildings.

334. Public education is also provided on gender issues to various rural women's groups and recently the Ministry of Agriculture & Fisheries through the **Rural Agricultural Development Authority (RADA)** has been upgrading its database system to include more sex disaggregated data. In addition, it will assist in improved data collection towards a better understanding of the **improving situation of rural Jamaican women**.

335. The Jamaican Government has implemented a number of measures and poverty reduction strategies to address some of these imbalances. As previously noted, there is a **National Poverty Eradication Programme (NPEP)** targets rural women, in particular. A part of the process of ongoing reform of the social safety net is to improve efficiency to ensure that women in general and rural women in particular have equal and non-discriminatory access to services.

336. The establishment of hospitals and health centres across the island makes it possible for women to have increased access to health care. There have also been recent improvements in the status of rural women during the period due to shifts in population including decline in fertility rates and increasing life expectancy for both sexes.

337. With regards to education, there are primary, secondary and vocational branches of tertiary level institutions island-wide which promote education and training of rural women.

338. **Rural women play an important role in agriculture** which is integral to the development of the Jamaican economy. Special programmes have been instituted to eradicate discrimination against women and as a result more women are now being recognized as farmers in their own right. In addition, more women are partners with men on household farms and are the main cultivators of kitchen gardens. Their involvement in domestic food production is particularly important, and they play a key role in contributing to food self-sufficiency. Women are also processors of food for rural and urban households. Food self-sufficiency in Jamaica, as in many parts of the world, is therefore doubly dependent on women's work, and they have contributed greatly in this regard.

339. The **Agricultural sector** can be divided into five main sub-sectors; Export Crops, Domestic Crop production, Livestock production, Greenhouse production and Fishing. Rural women play a vital role in all these sub sectors; however, because of their triple roles, it is continuously difficult to ascertain their importance in each subsector.

340. According to STATIN, females represent 20 per cent of the agricultural work force with seven per cent of the female labour force being skilled agricultural and fishery workers. Statistics from the Preliminary Report of the Census of Agriculture 2007<sup>63</sup>, reveal that there 63,690 female farmers<sup>64</sup> currently in Jamaica which is approximately 30 per cent of the farmers. Of the sum, 43 per cent of the female farmers are younger than 44, which suggest that agriculture might be considered a lucrative area for women; hence greater numbers of women are participating.

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<sup>63</sup> The 2007 Census of Agriculture in Jamaica is a large scale, periodic, statistical operation conducted as part of the United Nations Food and Agriculture (FAO) world programme for the 2010 round of censuses, covering the period 2005 – 2014. The last census was conducted in 1996.

<sup>64</sup> The words farmer, holder and farm operator are used interchangeably and they are defined as the person who exercises management control over the agricultural holding operation and takes major decisions regarding the use of resources.

**Table 20: Labour force by industry group**

Year	Agriculture / work force (workforce)	Females in agric (fagr)/ agric workforce	fagr/f workfo rce	REMARKS
2007	16.2%	20.0%	7.2%	Agriculture is the third popular female industry group along with Community, Social & Personal Services, and other female-oriented industries include: Wholesale & Retail, Hotel and Restaurant Services.
2006	16.9%	20.2%	7.7%	

**Table 21: Labour force by industry group**

	2006	2007	REMARKS
% skilled agriculture and fishery worker	15.7%	15.6%	Most females are Service Workers & Shop and Market Sales Workers with female skilled in Agriculture and fishery being the fourth occupation group.
female skilled agric & fisheries(fsa&f)/female labour force	6.5%	6.5%	
fsa&f/total labour force	2.9%	2.9%	

Source: Statistical Institute of Jamaica

341.Data suggests **women are more consistent in agriculture**. For the period, January 2007 to July 2008, three thousand four hundred (3,400) women entered the labour force in agriculture while only one thousand three hundred (1,300) males entered the industry. However, rural women manage smaller parcels of land and are more dependent on male hired labour, thus incurring more costs to manage their farms. In addition, some rural women function on the margins of the sector, and move in and out of agriculture more than men.

342.Discussions with the **Rural Agricultural Development Authority (RADA)** demonstrate that the roles of women in the industry are gender specific. For example, women are mostly found rearing poultry than cattle. Also, their duties consist of cooking, cleaning, marketing and harvesting. As such, women receive lower wages than men and therefore have a lower earning rate which is consistent with trends in the labour market.



*Table 22: Number of Individual Holders by Age Group, Sex and Parish 2008*

	Total	Male	Female	Not Reported	% of female of total	% of male of total
All Jamaica	210853	139965	63690	7198	30.2	66.4
Under 25	12356	9436	2473	447	20.0	76.4
25 -34	31890	21301	9479	1110	29.7	66.8
35-44	46898	30177	15171	1550	32.3	64.3
45- 54	46898	30177	15171	1550	32.3	64.3
55-64	31557	21297	9248	1012	29.3	67.5
65-74	23914	15778	7310	826	30.6	66.0
75+	14123	8913	4708	502	33.3	63.1
Not Reported	6269	3930	2008	331	32.0	62.7

SOURCE: Preliminary Census of Agriculture-2008

343. Women's participation in **livestock production** is increasing as female farmers are rearing all forms of livestock available in Jamaica. As at 2008, there were 90,907 farmers in the island of with 33.36 percent being women.

344. In 2008, the **banana industry** employed about 3,000 workers on a full time basis; about 40 per cent are women. During the exporting of banana, the number moved to about 5,000 of which about 60 per cent were female. In the industry women are employed in the field as packers, selectors and for the application of fertilizer and pesticides. Women are the main workers in the packing of bananas for the export or local trade.

345. **Sexual division of labour** in the banana industry is gender specific. The women do the fertilizing, diapering and de-leafing. They are also heavily involved in packaging while men are involved in the more heavy manual labour such as harvesting, spraying, chopping and weeding. However, the wages are task oriented and follow the key principles of fair trade<sup>65</sup>, which enable them to be fair trade certified. Moreover, the banana industry was also instrumental in providing training and development to its workers which included a literacy programme and computer skills.

<sup>65</sup> Fair trade is a movement of consumers, based in countries like the U.S. and the U.K. It is a movement of consumers who appreciate the power that their purchases have, to either exploit or to empower. Understanding that both of those powers are present in what we purchase, fair trade is an effort to make sure that the money that we spend is going to empower rather than exploit. There are a number of key principles. Different principles take on different meanings for fair trade organizations, but the basic ones are the idea of paying a fair price - that is the real foundation and key in fair trade is that a fair, sustainable price is being paid. Also, fair wages are then being paid to the producers. There are also issues of gender equity, which is an important principle. The environmental sustainability is also an important principle.

346. In the sub-sectors of **greenhouse production**, men dominate income earning activities with women functioning in a minority or supportive role. There are two main associations; they are the Christiana Potato Growers Cooperative and the Greenhouse Growers Association (GGA). The GGA reports that they have approximately 70 active members, where 40 per cent are females. Trends indicate that this is an increasing area of employment for women. The GGA is a middle income educated group, which invested in greenhouse production as a business. Given the size of capital investment needed to start greenhouse production, a high percentage of rural women are unable to participate in this subsector as owners. However, rural women participate in crop harvesting that is produced in the Greenhouses.

347. In the sub-sectors of **marine fishing**, higher percentages of women are found in dominant roles. They are usually owners of boats or are in partnership with their male counterparts. As well as, they are the prime sellers (vending trade) of fish and crustacean. It is, however, rare for women to go fishing themselves due to the high risk involved.

348. At the end of 2008, there were 18,504 fishers (not including indirect workers) and 4,860 registered boats operating from 187 fishing beaches. Of the sum, 6 per cent of the registered fishers were women. Although, there is an increase of 382 female **registered fishers** their male counterparts have increased by 4,219. (PIOJ, 2007)

349. In most fishing villages, sexual division of labour is delineated between fishing at sea and vending on land. However, there is inter-dependence between the two functional roles in the industry, with women receiving some protection in all communities from exploitation. Moreover, sanitation facility, proper waste disposal system, gear and boat storage and other infrastructure are lacking or are in poor condition in most of the fishing villages.

350. Jamaica took part in the **Caribbean Workshop on Sanitation (CARIBSAN 2008)** in Kingston Jamaica, from April 28 to 29, 2008, with the participation of Ministers, Ministers of State, professionals of institutions of the sector, scholars, members of the civil society, non governmental agencies, donor agencies, development agencies and the private sector with the intention ensuring that there is gender mainstreaming (identification and consideration of the specific roles and responsibilities women) in sanitation projects and programmes.<sup>66</sup>

351. Rural women are sometimes involved in the development of **economic and agricultural policies**. There are a number of influential women in Government ministries, parish councils, consumer advocate groups, farmers' organizations and in representative politics who are involved in the development policies which will impact positively on the status of rural women.

352. Women's participation is also facilitated when **Green Papers** showing government policy intent are circulated nationally to various groups and organization for their comments. Moreover, members of the public, including some women are invited to Town Hall and District meetings for **discussion on policy issues** before formulation.

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<sup>66</sup> Caribbean Workshop on Sanitation (CARIBSAN 2008) *"Integration of Sanitations Policies into National Development Plans in the Caribbean Region"*

353. There are 33 active municipal Markets located throughout the island which are organized and managed through the Parish Councils. These markets are approximately 90 per cent populated by women vendors who sell both local and imported agricultural and non-agricultural products which allow them to support themselves and their families.

354. The **Jamaica Network of Rural Women Producers (JNRWP)** received funds from various sources such as the Informal Credit Project which aimed at strengthening existing productive enterprises and facilitate the development of new ones. Additionally, the BWA continues to provide capacity-building in order to allow the NGOs to function as an outreach arm of the BWA. During 2008, the JNRWP received funding from the BWA to assist with the organization's operations and development. In addition, the BWA provides office space as a part of institutional strengthening. It is intended the JNRWP will develop the capacity to support other women through training and other forms of interventions. Marketing opportunities were created and secured for members at the local Denbigh Agricultural Show and at the regional Caribbean Gift and Craft Show which was held in Barbados. Recently, the JNRWP benefitted from Institutional Strengthening through the sponsorship of the Council of Voluntary Social Services (CVSS) and UNIFEM. These will improve communication and organization structure.

355. The **Organisation of American States (OAS)** provided funding to finance the credit scheme coordinated by the **JNRWP**. A Credit Committee was formed comprising personnel from the Inter American Institute for Cooperation of Agriculture (IICA), Rural Agricultural Development Authority (RADA), Bureau of Women's Affairs, Planning Institute of Jamaica, NGOs, Integrated People's Cooperative Bank (PC Bank), the Ministry of Labour and Social Security and rural women's representatives. The Credit Committee established a suitable institutional framework to operate the credit scheme and also developed the necessary accounting forms. Information was provided to the rural women through community meetings, which were held in several parishes.

356. The Credit Committee received 247 loan applications from women and loans were approved for 51 beneficiaries and disbursed to 49 women. Four of these persons received two loans, bringing the total to 53 loans. Beneficiaries are required to repay their loans within 2 years. During the period, the total loans disbursed to clients under the programme amounted to \$3,828,240. Some of the challenges which were faced by women include marketing (i.e. the inability to sell products), devastation from Hurricane Ivan in 2004 and family illnesses/ accidents.

**Table 23: Projects that have been implemented by the Jamaica Social Investment Fund (JSIF)**

<i>Type</i>	<i>Project Name</i>	<i>District</i>
Skills Training - Infrastructure	Junction Skills Training & Adolescent Mothers Project	Junction
Skills Training - Infrastructure	St. Ann's Bay Women's Centre	St. Ann's Bay
Skills Training - Infrastructure	Westmoreland Housecraft Training Centre	White House
Skills Training - Infrastructure	YWCA - Spanish Town Vocational School	Spanish Town
Homes	Windsor Girls Home	St. Ann's Bay
Organizational Strengthening	Woman Inc. Organisational Strengthening	Half Way Tree
Skills Training	Drewsland, Jack's Hill, Tavares Gardens Parenting Skills Training	Drewsland
Agro Production	Caribbean Food and Nutritional Institute / Egg Production at Bog, Westmoreland	Bog
Life Coping Skills	Family & Parenting Centre Summer Camp 2005	Montego Bay
Life Coping Skills	Duckenfield Parenting Guidance Training	Golden Grove
Skills Training	Pera Point Sewing Project	Port Morant
Life Coping Skills	Girl's Brigade Summer Camp 2008	Nannyville

357. The **Jamaica Social Investment Fund (JSIF)** provides assistance to rural women through the implementation of several projects which are largely community-based. Skills training is offered to adolescent mothers to enable them to join or return to the workforce after having children at an early age. Life coping skills provide parenting guidance to strengthen family bonds and to foster and improve relationships. Support is also provided through organizational strengthening to women's organizations such as Woman Inc. Support is also provided by the Caribbean Food and Nutritional Institute's Egg Production which involves a number of women. The projects which have been implemented by JSIF have significantly improved the lives of several females in rural parishes.

358. Jamaica has very few female **non-traditional health workers** (midwives). Though few in numbers, they are able to do deliveries in very rural areas if labour progresses too quickly to allow for expectant mothers to travel to a health facility for delivery.

359. The Bureau of Women's Affairs has been involved in extensive **public education programmes** on gender issues geared towards the **empowerment of rural women**. Seminars and workshops have

been ongoing in rural communities to provide sensitization and training in gender specific issues such as domestic violence, child abuse, sexual abuse, human rights, gender-based violence as well as sexual & reproductive health and rights as well as gender and HIV. The sexual & reproductive health component focuses on the **female condom (FC2)** in partnership with UNFPA. Training is also provided in other areas to include legislation such as the Domestic Violence Act, Child Care and Protection Act, Property (Rights of Spouses) Act, Sexual Offences Bill, among several others. As a result, rural women are more knowledgeable about their rights as well as the services and benefits which are provided.

360. Through sustained partnership with **UNFPA's Female Condom 2 Programming and Promotion Pilot Initiative (2008)**, the **BWA** was part of a Caribbean Sub-Regional Initiative to enhance Reproductive Health Commodity Security. This initiative specifically promotes female condom 2 (FC2) programming with an aim to increase its use and acceptance among women and men. Initially, it began as a 6 month pilot-initiative over the period March – August 2008. To date, achievements include significant partnerships with hospitals, universities, and faith-based community health departments/clinics. Beneficiaries include several male participants (20 per cent) per session and youths below the 21 age cohort (90 per cent). Programme outcomes include changes in knowledge, attitudes, beliefs and practices among female condom (FC) users.

361. Since the **Female Condom 2 Programming and Promotion Pilot Initiative (2008)**, the **BWA** through its Community Outreach Programme has been integrally involved in sensitization and awareness-raising sessions on the FC2 condom. This is part of a coordinated and systematic prevention initiative to stem and prevent the increasing prevalence of HIV and AIDS and other STIs as well as unplanned pregnancy. The initiative also targets women and girls who are vulnerable to sexual violence due to their socio-economic and financial status. Subsequently, requests for sensitization sessions have increased as a result of positive client feedback. The **BWA** intends to duplicate this intervention as part of the workplace sensitization on HIV/AIDS and Sexual and Reproductive Health.

362. The Government of Jamaica is working towards achieving goal 7 of the **Millennium Development Goals (MDGs)** to provide access to potable water by the year 2015. The **Jamaica Water Supply Improvement Project** will be implemented through the National Water Commission (NWC) over the next two years. Nineteen water projects are scheduled for completion in 2009, to serve an additional 44, 272 persons in rural Jamaica of which women comprise a significant percentage.

363. Special projects will be implemented in the parishes of Portland, St. Thomas, St. Mary, St. Catherine, Manchester, Westmoreland and St. James to improve the Rural Water Supply. It is intended that on completion, approximately 50 per cent of residents in the rural communities should have access to clean, safe water. Work will also continue on a **Rural Water Master Plan**, which is a policy designed to guide investment in the water sector to **increase the delivery of potable water to rural communities**.

## Article 15: Equality before the Law and in Civil Matters

**State Parties shall accord to women, in civil matters, a legal capacity identical to that of men and the same opportunities to exercise that capacity. They shall give women equal rights to conclude contracts and to administer property and treat them equally in all stages of procedure in courts and tribunals.**

364. Women continue to enjoy the same rights as men to conclude contracts and administer property. Both women and men are allowed the same capacity to enter into legal relations and to administer property, notwithstanding the fact that there is no express provision to this effect in law. Under Section 4 of the **Interpretation Act**, it is provided that in the Act and in all other Acts, regulations or other instruments of a public character currently in force or made in future, that words used to refer to the masculine gender include the feminine.

365. There is no overt discrimination against women as they have the right to make **contracts relating to credit, real estate and other property**, as well as other commercial transactions in their own name. In this regard, women have the autonomy to manage their personal affairs, regardless of their marital status.

366. The **Property (Rights of Spouses) Act (2004)** allows for a spouse, whether female or male, married and unmarried to enter into agreements ‘as they think fit’ in respect of property. These provisions underscore the status of the law in Jamaica, which grants women and men contractual freedom and equality.

## Article 16: Equality in Marriage and Family Law

**States Parties shall take all appropriate measures to eliminate discrimination against women in all matters relating to marriage and family relations and in particular shall ensure equality of rights and responsibilities between men and women.**

367. The Government of Jamaica continues to ensure that legislation related to marriage and family life is not discriminatory to women and guarantees equality of rights and responsibilities between women and men.

368. It has been proposed that the **Registration Act** be amended to allow provisions that require the inclusion of the father’s name in the registration of birth. Special measures are being proposed to include the father’s name when at the time of the registration of birth in the event that consent is not forthcoming. It has been suggested that the named father be served notice and provided with the opportunities to challenge the naming procedure through a judicial process. Paternity can be verified through the use of DNA services. The proposed changes are intended to assist fathers to carry out their care-giving roles within the context of the family and to ensure that single mothers are not the sole provider for the child/children. Currently it is difficult for single mothers to hold fathers

accountable. The new provisions are intended to improve the accountability of fathers who invariably attempt to elude their responsibilities to their child.<sup>67</sup>

369. With respect to equal treatment, the laws concerning rights to property and maintenance such as the **Property (Rights of Spouses) Act** and the **Maintenance Act**, respectively, are not gender specific. They confer equal obligations on women and men in legal and common law unions as well as persons in visiting relationships. Family relations are not governed by religious or customary laws though, of course, family traditions may well be influenced by the religious perspectives of the concerned persons. Both pieces of legislation were amended to eliminate discrimination against women especially in matters relating to marriage and family law.

370. The **Domestic Violence (Amendment) Act, 2004** also provides equality in **Marriage and Family Law** (Please see Article 2 para.124, p. 30)

371. The **Property (Rights of Spouses) Act, 2004** also makes provision for equality in **Marriage and Family Law** (Please see Article 2 para.125, p. 31)

372. The **Maintenance Act, 2005** also makes provision for equality in **Marriage and Family Law** (Please see Article 2 para.126, p. 31)

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<sup>67</sup> Jamaica Gleaner "Amendment to Act calls out Fathers" May 22, 2009

**Acronyms and Abbreviations**

ABIS	Agricultural Business Information System
BPFA	Beijing Platform for Action
BWA	Bureau of Women's Affairs / Bureau
CCM	Country Coordinating Mechanism
CCPA	Child Care and Protection Act
CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women
CSWs	Commercial Sex Workers
ECLAC	Economic Commission for Latin America and the Caribbean
GAC	Gender Advisory Council
GBV	Gender-based Violence
GFPs	Gender Focal Points
GOJ	Government of Jamaica
IDEVAW	International Day for the Elimination of Violence Against Women
IWD	International Women's Day
JAMSPRED	Jamaica Social Policy Research Database
JASPEV	Jamaica Social Policy Evaluation
JISS	Jamaica Injury Surveillance System
JUST	Justice Undertakings for Social Transformation
JWPC	Jamaica Women's Political Caucus
LMIS	Labour Market Information System
MOE-	Ministry of Education
MDAs	Ministries, Departments and Agencies
MDGs	Millennium Development Goals
MYSC	Ministry of Youth, Sports and Culture
NAC	National AIDS Committee
NATFATIP	National Task Force Against Trafficking in Persons
NPGE	National Policy for Gender Equality
NCVs	National Core Values
NTP	National Transformation Programme
NGO	Non-governmental organisation



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NWM	National Women's Machinery
PIOJ	Planning Institute of Jamaica
PMTCT	Prevention of Mother -to- Child Transmission
RADA	Rural Agriculture Development Authority
RGD	Registrar General's Department
SEP	Schools' Education Programme
SPP	Social Protection Project
STATIN	Statistical Institute of Jamaica
UNICEF	United Nations Children's Fund
VAW	Violence Against Women
VSC	Vital Statistics Commission
STIs	Sexually Transmitted Infections

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