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(Item 3.b on the Agenda)

INTER-AMERICAN COMMISSION ON WOMEN (CIM) REPORT- 2004

I. GENERAL ASPECTS

Demographic Factors

Jamaica's population was estimated to be 2.64 million at the end of 2003. This comprised approximately 51 per cent female and 49 per cent male. Life expectancy was estimated at approximately 76 years for females and 73 years for males compared with the 1991 figures of 73 years for females and 70 years for males. Apart from the genetic predisposition of males at birth, risky behaviours such as violence, drug addiction, smoking and alcohol consumption were also factors contributing to life expectancy among males and females.

Labour Force

Traditionally the female labour force participation rate has been lower than that of males, and experience a sharper decline from 55.4 per cent in 2002 to 53.2 per cent in 2003. The male labour force participation rate on the other hand declined from 72.6 per cent in 2002 to 71.4 per cent in 2003.

In 2003, females continued to gain from increased employment opportunities as the female labour force increased by 700 persons while males decreased by 400 persons. The employed labour force was still dominated by males, who accounted for 57.9 per cent. This evidenced a sustained gender differential in employment levels.

II. JUDICIAL, POLITICAL AND SOCIO- ECONOMIC SITUATION

The Bureau of Women's Affairs (BWA) remains committed to achieving gender equity to ensure that women and men are equal partners in national development. Several initiatives designed to achieve gender equity were embarked on. Over the last two years there was a strong focus on the policy issues affecting gender equality, women's economic empowerment and sustainable development

Judicial

Legal Reform

The CIM Plan of Action advocates that countries in the region eliminate all remaining legal provisions within their legislation that discriminate against women. In 1999, the Bureau of Women's Affairs, in keeping with the guidelines of the CIM Plan of Action, reviewed 42 pieces of legislation to address the issue. The objectives of the review are as follows:

- To redress imbalances and irregularities in the law
- To bring laws in line with contemporary thinking and awareness
- To harmonize local laws affecting women with international norms and standards such as the Convention on the Elimination of All Forms of Discrimination

Against Women (CEDAW), the Convention on the Rights of the Child (CRC), the Human Rights Convention), and the CIM Plan of Action

From this review several pieces of legislation were prioritized and placed on the legislative agenda for action. These include: The Property (Rights of Spouses) Act, The Offences Against the Persons Act, The Incest (Punishment) Act, The Domestic Violence Act and the Proposed Sexual Harassment Bill

- **Property (Right of Spouses) Act**

The long awaited Family Property (Rights of Spouses) Act was approved by the Senate on February 6, 2004 and tabled in Parliament on February 17, 2004, and is to receive the Governor General's assent, after which the Bill will come into operation on a date to be decided by the Minister and gazetted.

The Property (Rights of Spouses) Act 2004, the word 'Family' having being dropped from the long title will allow for the equitable division of property between spouses upon the breakdown of a marriage or a common law union after five (5) years. Another critical feature of the Act is that it will now recognize the value of women's contribution in the home.

- **The Offences Against the Persons Act and the Incest (Punishment) Act**

The Offences Against the Persons Act and the Incest (Punishment) Act have been discussed at some time at the level of the Joint Select Committee, but they have not yet been amended.

- **The Domestic Violence Act**

The Domestic Violence Act has been discussed at the Joint Select Committee, and recommendations put forward for amendments have been taken into consideration.

- **Proposed Sexual Harassment Bill**

Presently there is no recognition of sexual harassment in any of our laws. The need has arisen however to put in place such an Act due to the increasing incidence of sexual harassment particularly in the workplace. For over a decade the BWA and women's NGO's have been advocating for such legislation to be passed.

The proposed Sexual Harassment Bill will cover employment, institutions and situations in relation to accommodation. The common features of Sexual Harassment will be deemed to be *“conduct that involves an unwelcome sexual advance, unwelcome request for sexual favours or unwelcome conduct of a sexual nature, by one person to another”*.

The CARICOM Model legislation on sexual harassment has been used to guide the development of the Jamaican legislation.

The Bureau in leading this process and with assistance from the Legal Reform Department developed a draft policy statement on the proposed Sexual Harassment Bill. This statement highlighted the common features of the Bill and was used at a stakeholders meeting in December 2003 to discuss and solicit feedback from participants on issues concerning the Bill. This was the first in a series of consultative meetings held with representatives from the trade unions, the Jamaica Employers' Federation, as well as public sector representatives and other groups. A

policy on Sexual Harassment is to be developed and a Cabinet Submission to be tabled. The BWA continues to hold sessions to sensitize the public and other stakeholders on the issues.

Political and Socio- Economic Situation

Political

Jamaica political structure is fashioned from the Westminster's model and is governed by a two-party system with the maintenance of power being largely dependent on support at the local level. The administrative system is centralised with some power, responsibility and resources entrusted to local government (parish councils). Parish Councils oversee the local affairs of the parishes.

Socio-economic

Performance of the economic sector showed that in 2003, real GDP rose by 2.1 per cent, representing consecutive growth over the last five years. Point to point inflation¹ for calendar year 2003 was 14.1 per cent, up from 7.3 per cent in 2002. The main inflation drivers resulted from depreciation in the exchange rate, increases in international commodity prices, and new tax measures introduced in April to June 2003. There was deterioration in the fiscal deficit by 1.4 billion to 34.8 billion, during April to December 2003.

In the social sector there was a 2.0 percentage points decline in the average unemployment rate. There was increased expenditure for the construction of new schools, the launch of the National Health Fund, and the establishment of new crime fighting initiatives.

III. MONITORING THE IMPLEMENTATION OF THE CIM STRATEGIC PLAN OF ACTION (POA)

The Eradication of Poverty

Jamaica continues to monitor the implementation of the CIM Strategic POA, and as a result have put certain measures in place.

Poverty among women has continued to be a challenging issue. Female-headed household represented approximately 45.5 per cent in 2002. These households tend to have a larger mean household size and have implications for poverty.

The Government of Jamaica, under the National Poverty Eradication Policy with assistance from overseas development agencies initiated several gender sensitive programmes including the following:

1. The Food and Agricultural Organization (FAO) funded three projects totaling US\$390,000, which included the Spring Bank Women's Group Poultry Project. The projects were aimed at income generation, the promotion of food security, trade facilitation and improved processing technologies.

¹ Point to Point inflation refers to the change in the Consumer Price Index between December 2002 and December 2003

2. Funding was also received (US\$200,000.00) from the Japanese Trust Fund for a Gender Training and Research Project and the United Nations Development Programme (UNDP) gave US\$275,000.00 to produce a second National Development Report for Jamaica. This Report will look at the implications of globalization on the Jamaican economy with a strong focus on rural development.
3. The United Nations Population Fund (UNFPA) allocated US\$ 0.8 million to facilitate projects on sexual and reproductive health issues. The UNFPA/EC/ GOJ also signed an agreement for US\$ 1.8 million to implement projects aimed at reducing poverty and encourage sustainable development by providing widespread access to integrated gender-sensitive, rights-based sexual and reproductive health care.

The BWA continues to foster economic and social empowerment among poor women and their families. Within the review period several poverty alleviation initiatives were pursued. These included, the St. Thomas Women's Agricultural Initiative, and other income generating projects involving craft and garment making. These projects have been designed to create employment, provide training, enhance managerial skills level and provide alternative employment for women.

The International Labour Organization funded three project aimed at eliminating the worst forms of Child Labour in keeping with Convention 182. The BWA implemented one of these programmes in Rocky Point, Clarendon. This project was also designed to assist poor women whose children are involved in the worst forms of child labour. The project aimed at:

- withdrawing 130 children from the worst forms of child labour
- re-orienting the children into the formal and informal education system
- preventing a further 150 from prematurely entering the labour market
- creating an awareness of the dangers of child labour and promoting attitudinal change towards healthy lifestyle practices.

International Women's Day (IWD) 2003 sought to promote and emphasize the advancement of women through the use and management of fresh water. The theme also highlighted other issues such as the importance of fresh water resource in satisfying basic human needs for health and food production, women's traditional responsibility in fetching and storing water and the need to encourage them to use technology to collect and store fresh water from rainfall. In 2004 the IDW activities highlighted women's contribution to national development, by focussing on the voices of unsung heroines.

Gender-based and Domestic Violence

Gender-based violence continues to be a major challenge towards gender equity in the Jamaican society, despite efforts to stem the tide. This has both social and economic implications for the nation. Both government and non-governmental organizations (NGOs) have developed strategies to campaign against this scourge to ensure that violence against women and girls is minimized.

In order to sensitize the public on the issue of Violence Against Women and Children, the BWA has hosted several sessions for members of various communities, churches, schools, civic groups, as an ongoing effort to reduce the incidences of gender-based violence. Several workshops targeting members of the justice system were also held in an effort to sensitize them

on the issues of domestic violence. The BWA has also partnered with the Police Executive Research Forum (PERF), an initiative sponsored by the US Agency for International Development (USAID) on community policing to reduce domestic violence. To this end sensitization and training sessions to various civic groups have been conducted. (Please see table 1 in appendix for figures in relation to gender-based violence)

Participation by Women in Power Structures and Decision Making

Although women have been making strides professionally, especially over the last decade, they continue to be under-represented at the highest levels of governance, power and decision-making. This under-representation of women is not commensurate with their educational background, proven capabilities and invaluable contribution to society. Women's lack of participation and involvement in the process of governance can be observed from the composition of corporate boards in Jamaica which remain male dominated.

Of a total of one hundred and seventy-seven (177) candidates who contested the October 16, 2002 parliamentary elections, twenty-eight (28) or approximately 16 per cent were females. In absolute terms, this actually represents a reduction on the thirty-two (32) female candidates who offered themselves for representative service in the 1997 General Elections. Of the twenty-eight (28) female candidates just over a fifth (six) were successful, with three of the six being appointed to Cabinet positions. Whereas prior to the October 2002 general elections, there were eight female parliamentarians, the present lower house includes six female representatives. (Table 2A and 2B in the appendix provide a gender breakdown of representation in the Upper and Lower Houses of Parliament.) Relative to the previous administration, the Cabinet has gained one additional female member, while the Senate has lost one. However, one newly appointed female Senator also holds the position of Minister of State (Junior Minister) in the Ministry of Finance and Planning. The symbolically important position of Speaker of the House, previously held by a woman, has once again been conferred on a man.

Although a female still occupies the post of President of the Senate, women are still given the "softer" Cabinet portfolio ministries. Jamaica has yet to see a female being accorded the portfolio responsibilities of Finance or National Security/Justice. The present Ministers of Education; Local Government/Community Development; and Tourism and Sport are female

While there has been greater female leadership and participation at the competition stage, this has not translated into proportionate levels of success in actually representing their constituents. On balance therefore, there is no clear indication of women having advanced at the highest level of political representation and power since 1997.

Among the factors identified for the relative lack of success were possible inadequate preparation for leadership; lack of political savvy, born largely of inexperience; and financial constraints in light of the reality that women find it more difficult than their male counterparts to mobilize financial support. There are no plans on the horizon for special temporary remedies to increase the number of women at all levels of government to the thirty percent level as recommended by the UN under the 1995 Beijing Platform for Action. The process would ideally begin at the political party level through a systematic programme of encouragement, training and financial support to women who are desirous of entering representative politics.

The Jamaica Women's Political Caucus, an NGO, continues to provide leadership/assistance in the form of training, preparation and financial aid to female political aspirants on a non-partisan basis. In fact, for the recent national elections the Caucus, from its Candidates Fund, was able to grant J\$10,000 to each of the twenty-eight female candidates to assist them with their campaign efforts. The Caucus also supports and facilitates the growth of women aspiring to leadership in other spheres of community or public life.

Women in the Public Sector

Over the review period, Jamaican women continued to make strides in the sphere of public life. Within the public sector, females continued to enjoy higher levels of employment than males. At the end of 2002, close to two thirds (63 percent) of Permanent Secretaries were female as against under one half (47 percent) at the end of 2001. Female Heads of Department are also increasing. (Tables 3-6 in the appendix indicate the gender positioning of public sector workers who occupied positions at the highest levels of the civil service)

Within the justice system, males continue to occupy the leading positions although data for 2000 and 2001 indicate that their female counterparts outnumbered them at the Resident Magistrate level and also as Assistant Deputy Directors, Crown Counsels and Assistant Crown Counsels. With female graduates from the law school outnumbering males, it would appear that women are well positioned to ultimately succeed to the uppermost positions now dominated by men.

Health

Relative to their needs, women and men have equal access to all available health care facilities in Jamaica. The Ministry of Health has adopted and maintained the principle of gender equity in its provision of health services for women. Jamaica possesses an effective network of service providers in the public and private sectors, affording health care facilities to women. All public health facilities and personnel are available for women, with pre-natal, post-natal, family planning and gynecological services specifically targeting this group. Women are required to pay a small fee for health care during pregnancy, delivery and the immediate post-natal period and although the national health budget does not allow for free health care, generally women are not denied health care due to lack of funds. Indications are that the majority of Jamaican women seek some form of pre-natal care. Among women who seek pre-natal attention; eighty-one percent (81%) receive such services from the public sector, and nineteen percent (19%) from the private sector.

Food assistance and food stamps are available to needy pregnant women to ensure that they receive adequate nutrition during pregnancy and lactation. Hemoglobin (iron) levels are checked regularly and iron supplements are provided free of charge. Currently, there is a Government of Jamaica project called Poverty Alleviation through Health and Education (PATH), which ensures cash benefits to the poorest of the poor including pregnant and lactating mothers.

In 2003 there was approximately 22,000 persons living with HIV/AIDS in Jamaica. This is the second leading cause of death in children ages 1-4 years. Adolescent females in the age group 10-14 years and 15-19 years had twice and three times, respectively, a higher risk of HIV than boys of the same age. The ratio of women to men among newly reported AIDS cases in the age group 20-29 is 2:1

IV. FUTURE ACTIONS TO ADVANCE THE IMPLEMENTATION OF THE CIM STRATEGIC POA

- At the national level, future plans include strategies to advance the status of women and to promote gender mainstreaming.
- At the regional level efforts are being made to engender regional collaboration in an effort to share skills, and to learn from best practices.

APPENDIX

The table below gives an indication of sexual abuse over the period 2002-2003

Table 1
Incidence of Rape and Carnal Abuse

Offences	2002		2003	
	Reported	Cleared Up	Reported	Cleared Up
Rape	875	387	931	521
Carnal Abuse	270	183	377	217
Incest	25	N/A	15	N/A
Buggery	15	N/A	23	N/A
Total	1185	570	1346	738

Source: Police Department, Statistics Division, Key: N/A = Not available

Table 2A
Percentage of Seats held by Women in Government
October 2002

Position	Males	%	Females	%m	Total
Cabinet	14	82	3	18	17
Senate	17	81	4	19	21
Members of Parliament	54	90	6	10	60

Source: Jamaica Information Service, October 2002

Table 2B
Women in Local Government Politics in 2003

Categories	Female	%	Male	%	Total
Mayors	1	7	13	93	14
Deputy Mayors	1	7	12	93	14
Councillors	37	16	190	84	227

Source: Kingston & St. Andrew Corporation, 2003

Table 3
Gender Composition of Permanent Secretaries
2000-2002

Years	Permanent Secretaries		
	Male	Female	Total
2000	8	5	13
2001	8	7	15
2002	6	10	16

Source: Office of the Services Commission

Table 4
Gender Composition in the Criminal and Civil Administration of the Justice System

Courts	2002		
	M	F	T
Court of Appeal	7	0	7
Registrar for Court of Appeal	0	1	1
High/Supreme Court Judges	16	12	28
Resident Magistrates Court	18	30	48

Source: Supreme Court, Chief Justice's Office

Table 5
Percentage of Seats held by Women in Government
October 2002

Position	Males	%	Females	%m	Total
Cabinet	14	82	3	18	17
Senate	17	81	4	19	21
Members of Parliament	54	90	6	10	60

Source: Jamaica Information Service, October 2002

Table 6
Women in Local Government Politics in 2003

Categories	Female	%	Male	%	Total
Mayors	1	7 %	13	93 %	14
Deputy Mayors	1	7 %	12	93 %	14
Councillors	37	16 %	190	84 %	227

Source: Kingston & St. Andrew Corporation, 2003

Prepared by the
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