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INTER-AMERICAN COMMISSION ON WOMEN (CIM) 2006 REPORT

Prepared by: Bureau of Women's Affairs

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Demographic Factors

At the end of 2004, by estimation, the Jamaican population was at 2.65 million. The disaggregated data revealed that 50.7% were females and 49.3% were males. Table 1 below shows further division by age and gives a gender comparative view.

Table 1
Distribution of Population by Age and Sex, 2004

AGE GROUPS(Yrs.)	FEMALES	PERCENTAGE	MALES	PERCENTAGE
0 – 14	399,100	15.1	404,500	15.3
15 – 64	836,600	31.4	808,700	30.5
>65	111,800	4.2	93,800	3.5
TOTAL	1,343,900	50.7	1,307,000	49.3
TOTAL POPULATION	2,650,900			

Source: Economic and Social Survey of Jamaica (ESSJ) 2004 (Data compiled from Statistical Institute of Jamaica)

The Life Expectancy Age (LEA) for females is still higher than that of males. The estimated age for females was 78.45 years while it was 74.23 years for males. Compared with the 2004 CIM report there has been an increase in the LEA age.

Labour Force

The total and employed labour force participation indicated that there is a sustained dominance by the male population. Table 2 below substantiates this claim.

Table 2
Comparative Table of Total Labour Force and Employed Labour Force 2004 ('000)

GENDER	TOTAL LABOUR FORCE (TLF)	% OF TLF		EMPLOYED LABOUR FORCE (ELF)	% OF ELF
Females	531.3	44.5		444.3	42.1
Males	663.5	55.5		610.9	57.9
TOTAL	1,194.8			1055.2	

Note: Discrepancies due to rounding off

Source: Economic and Social Survey of Jamaica 2004 (Data compiled from Statistical Institute of Jamaica)

In 2004 of all females in the TLF 83.6% were employed, while 92.1% of all males in the TLF were employed. It is evident that the unemployment rate of females was higher than that of males. In fact, there were 139,800 unemployed persons of which females accounted for 62.3%. This was an increase of 0.4% in female unemployment since 2003 and for the same period only 0.1% in male unemployment.

II. JURIDICAL, POLITICAL, AND SOCIOECONOMIC SITUATION

To systematically integrate strategies to enhance the status of women and promote gender equality the juridical, political and socio-economic factors were monitored in accordance with the CIM Plan of Action. There were efforts consistent in pursuant to the improvement of the status of women.

Juridical

- The proposed **Charter of Rights** that has been tabled in Parliament will ensure that discrimination on the basis of sex is unequivocally prohibited in the Constitution. Section 13 (3) (i) (i) of the proposed Charter provides for “*the right to freedom from discrimination of – (i) sex, that is to say, male or female.*”
- **The Property (Right of Spouses) Act** was passed in 2004 and became effective on the 27th day of March 2006. The Act will allow for the equitable division of property upon the breakdown of a marriage as well as of common unions of five (5) years or more in duration.
- **The Maintenance Act** was passed in 2005 and is a companion Act to the Property (Rights of Spouses) Act, 2004. This Act places equal maintenance obligations on both partners and on parents and children. In cases where an application is made for the division of property under the Property (Rights of Spouses) Act, the Court hearing the proceedings under the Property (Rights of Spouses) Act may make a Maintenance Order in accordance with the provisions of the Act.
- **The Offences Against the Person (Amendment) and the Incest (Amendment) Bills** re-tabled in Parliament on the 21st July, 2006. The changes to the Bills will ensure that incest offenders are liable to punishment for life and allow sexual intercourse without consent in a marriage to be classified as marital rape.
- The Offences Against the Person (Amendment) Bill will broaden the definition of rape other than vaginal penetration by the penis to also include any other part of the body or any instrument to penetrate any part of another person’s body without the permission of the other person.
- The Incest (Amendment) Bill seeks to create a gender-neutral incest offence by persons aged sixteen years or over. The scope of the principal Act is also broadened to include, *inter alia*, the aunt and uncle, nephew and niece, in *loco parentis* and ‘step’ relationships.
- **The Domestic Violence (Amendment) Act** that was passed October 2004 provides enhanced protection for victims of domestic violence and abuse and applies to both spouses and de

facto (common law) spouses and extends to visiting relationships. It also broadens the definition of the child.

- A draft **Sexual Harassment** policy document is being examined by relevant stakeholders for preparation for submission to the Human Resource Council of Cabinet. The target date for submission is by October 2006.
- **Child Pornography Legislation** is to be drafted to address the manufacture, distribution and sale of pornographic material featuring children.
- **Victims' Charter** – the objectives of the Victims Charter is to address the status of victims of crime and to institute policies, programmes and initiatives that will support such victims and provide them with fair and just treatment throughout the criminal justice proceedings; justice for victims and witnesses of crime must be assured, while safeguarding the rights of accused person and convicted offenders.
- **Belém do Pará:** Jamaica has ratified the Inter-American Convention on the Prevention, Punishment and Eradication of Violence Against Women – “Convention of Belém do Pará” in December 2005.
- **Optional Protocol:** This human rights treaty which complements CEDAW Convention is not yet signed by the Jamaican Government but dialogue is taking place. June 27-29, 2006 an Advocacy Tour hosted by Bureau of Women’s Affairs, United Nations Development Fund for Women (UNIFEM) and the Friedrich Egbert and Stiftung (FES) facilitated workshops and seminars to explain, discuss and initiate mobilization around the Optional Protocol and to examine the implication for contemporary Caribbean.
- **Formulation of New Policies** The Government of Jamaica established a Gender Advisory Committee (GAC) in 2004 mandated through consultative approach to develop a National Gender Policy. The Bureau of Women’s Affairs led and completed the consultation. It is projected that the National Gender Policy should be finalized by September 2006 and will allow for gender mainstreaming in all government policies and programmes.

Political

Jamaica continues to function as an established parliamentary system of government based on the Westminster Model. The newly appointed (January 2006) Governor General is a male and the Prime Minister who is female was appointed in February 2006. The Prime Minister has included Gender Affairs in her portfolio.

Socio-Economic

The economy recorded real Gross Domestic Product (GDP) growth of an estimated 1.4 per cent during 2005. Goods-producing and Service Sectors, with the exception of Agriculture and Manufacturing recorded growth. However, growth performance was adversely impacted by challenges such as, the residual impact of Hurricane Ivan (2004), impact of Hurricanes Dennis and Emily (2005), high international crude oil prices and during the early part of 2005 terrible drought conditions and bush fires. Inflation was 12.9% in 2005 due to the impact of increased prices of food,

energy and energy related products. Unemployment rate also declined but the country saw major infrastructural development during 2004 to 2005. New schools were constructed and a number of the existing schools refurbished.

III. MONITORING THE IMPLEMENTATION OF THE CIM STRATEGIC PLAN OF ACTION

a. i) The Eradication of Poverty

The Government of Jamaica in partnership with NGOs, ADAs, CBOs, faith-based and private sector organisations and with grants/loans from International Agencies continued to make efforts to improve the quality of life of the poor and vulnerable. Table 3 shows the beneficiaries of a set of Public Assistance Programmes.

Table 3
Beneficiaries of Public Assistance by Programme 2004

	Rehabilitation Grant		Compassionate Grant		Emergency Grant	
Females	994	66.7%	798	64.2%	903	50.9%
Males	497	33.3%	445	35.8%	872	49.1%
TOTAL	1491		1243		1775	

Source: Economic and Social Survey of Jamaica 2004 (Data compiled from Ministry of Labour and Social Security)

Poverty continues to be a serious challenge among and for women. Just over 50% of the \$32M paid out in the above assistance programmes was paid out to women.. Of the total benefits disbursed by the Programme for Advancement through Health and Education (PATH), approximately 90% of the beneficiaries were women (PATH Report, 2004).

The Government, through its Micro Investment Development Enterprise (MIDA) provided micro enterprise credit to 1766 persons (just under 60% were women). This amounted to approximately \$211M (2005) in loans, 42.95% over 2004. The funding fostered job creation and poverty eradication as it resulted in employment, and sustained 3,376 persons. (NPEP Annual Report 2005/2006). The Bureau of Women's Affairs (BWA) through collaboration with NGOs and Private Sector provision of skills training and small loans were given to lift women out of poverty. Through Jamaica National Building Society a number of women, the majority from rural areas, were exposed to the facilities of the institution's micro and small business loans. It was significant to note that 74% of the small business portfolio consisted of loans to women. During the Financial year 2005/2006, 15,996 loans in the amount of \$556.8 M were disbursed to rural women.

The St. Thomas Women's Agricultural Initiative has now contracted an agreement of a ten-years lease for sustainability and expansion of the poverty eradication programme. The women's groups received training in agriculture, marketing, sales, packaging, leadership, book-keeping and personal development from Rural Agricultural Development Agency, Peace Corps volunteers and the BWA as part of the capacity building for the eradication of poverty.

a. ii) The Elimination of Violence

According to the ESSJ (2004) since 2001 the proportion of female victims of major crimes has been fluctuating, with 36.5% in 2004, being the lowest in four years. Sexual offences are being reported more therefore the increase in figures does not necessarily mean increase in the offences. The offences are even better categorized.

Table 4
Sexual Offences, 2003—2004

Offences	Reported cases		Cleared Up	
	2003	2004	2003	2004
Rape	931	777	521	296
Carnal Abuse	377	634	217	287
Indecent Assault	n/a	270	n/a	157
Incest	15	50	n/a	27
Buggery	23	56	n/a	33
TOTAL	1346	1787	738	800

Source: Economic and Social Survey of Jamaica 2004 (Data compiled from Jamaica Constabulary Force, Statistics Department.)

BWA in the last two years aggressively increased its public education against gender-based violence. International observances, IWD and IDAWAW 2005 focused on the themes “Women’s Rights are Human Rights” and “Educating Minds to Eliminate Gender-Based Violence.” There is also a massive campaign against “Trafficking in Persons.” The Government has taken steps through the enactment of legislation, amendments to existing legislation, drafting of new legislations, and public education to increase the campaign to eliminate violence especially against women and girls. The Child Care and Protection Act (CCPA) was enacted, a National Task Force Against Trafficking in Persons (NATFATIP) has been established and the Anti-TIP Legislation is now being drafted to embark on strategies for prevention, protection and prosecution. The police have arrested violators of various laws under which violence against women and trafficking would fall.

a. iii) Education and Labour market Participation

The percentage females in the TLF (44.5%) and ELF (42.1%) do not reflect the output of females’ achievements in education. In post secondary education and training which cater to the provision of skilled and semiskilled manpower (to include non-traditional skills for men and women), female was 57.3% of the 2003/2004 graduates. The tertiary education and training at the undergraduate level in the local private and public institutions had a total 2003/2004 enrolment of 69.6% females. Inclusive in this 69.6% were females trained as professional, senior officials and technicians. Despite the greater output by females the boardroom level and political male dominance as stated in previous reports have not changed.

a. iv) Participation in Power Structure and Decision Making

Ironically, though females continue to achieve higher levels in academia, this does not translate into positions of power and decision-making. Since February 2006 a female Prime Minister was elected but generally Parliament and Local Government are mostly males. Table 5 below gives a picture of the present male imbalance.

**Table 5
Participation in Parliament and Local Government**

POSITIONS	FEMALES	PERCENTAGE	MALES	PERCENTAGE
House of Representatives	7	11.7	53	88.3
Senate	5	23.8	16	76.2
Cabinet	3	21.4	11	78.4
Local Government -- Councillors	32	13.7	202	86.3
Mayors	2	14.3	12	85.7
Deputy Mayors	2	14.3	12	85.7
MEAN	8.5	14.3	51	85.7

Source:* Jamaica Information Service 2006 ** Kingston and St. Andrew Corporation 2005.

A considerable disparity prevailed between men and women at the highest levels of decision-making and is evident in professional associations as shown in Table 6 below.

**Table 6
Leadership of Professional Associations**

NAME OF ASSOCIATION	No. on Board	MALES		FEMALES	
		No.	%	No.	%
Junior Doctors Association	8	6	75	2	25
Institute of Chartered Accountants	12	9	75	3	25
Jamaica Manufacturing Association	27	25	93	2	7
Jamaica Exporters Association	23	18	78	5	22
TOTAL	70	58		12	

The information in Table 6 was received from individual association and among the 12 females are three vice presidents and one president among the total of 70 members at the associations' executive level.

a. v) Health

The Government of Jamaica through the Ministry of Health has committed itself to provide quality and affordable health service to the population. Results from various surveys revealed improvement in the health delivery and care. In the area of Maternal Health, there was focus on abortion issues. One of the recommendations made is for an amendment to Sections 72 and 73 of the Offences against the Persons Act so as to “make clear when abortion is lawful in Jamaica.

Total Fertility Rate was 2.5 (2005) a decrease from 2.7, there was a significant reduction in the Maternal Mortality Ratio (per 100,000 Live Birth) in 2005 dropping from a consistent trend of 106.2 for two decades to 95. The proportion of hospital births increased from 86 percent in 1996 to 95 percent in 2001, an indication that more women have become aware of the need for essential obstetric care. Improvement in training of health staff in the use of partographs have helped in better monitoring of labour progress. Expansion to the access to Reproductive Health has shown the increase of information and services to adolescents.

In regards to HIV/AIDS, the existing level of poverty, illiteracy, negotiating skills of women, forced sex, discrimination and stigma are contributing to the spread among women. However, it must be noted that the Prevention of Mother to Child Transmission (PMTCT) has shown signs of success. Ninety per cent of all pregnant women attending antenatal clinic ((2002-2004) were tested for HIV, 1.7% were positive. Effort was made to incorporate the 1.7% as part of the PMTCT programme. There was a decrease in the number of reported children with AIDS and there were fewer pediatrics AIDS deaths, 18 cases in 2004, 29 cases in 2003 compared to 45 in 2002.

BWA collaborated with the Ministry of Health, Regional Health Authorities, National AIDS Committee to conduct public education sessions on HIV/AIDS, gender based violence and women’s Sexual and Reproductive Health. Also, collaborative work with the Caribbean Medical Mission (a team of medical doctors and nurses of Jamaican roots) provided medical services and medication to 2,600 persons free of cost. The greater percent of patients were women and children. Under the National Health Fund men, women and children have equal access to health service provided they have any of the diseases listed in the classification for care under this benefit.

HIV/AIDS Prevention Programme for Deaf Women in Jamaica

This programme is being financially supported by the Joint United Nations Programme on HIV/AIDS (UNAIDS), and will be implemented by the Jamaica Council for Persons with Disabilities (JCPD).

The objectives of the programme are to address the unique needs of this vulnerable group by providing information to these women on issues of sexual abuse and domestic violence. This knowledge should assist deaf women and girls to protect themselves against potential abusers as well as to encourage behavior change. The programme is for a one year period.

b. Description of measures taken to implement the Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women, “Convention of Belem do Pará.”

Jamaica ratified the “Convention of Belém do Pará” in December 2005. There is no specific Action Plan that has yet been put in place for implementation since ratification. The Bureau of Women’s Affairs has been and continues to highlight the Beijing Platform for Action, the CEDAW and the Belém do Pará Conventions as they relate to violence other issues of discrimination against women. The Bureau’s strategic plan for 2005-2008 outlines a public education strategy which includes initiatives to educate and sensitize the judiciary, public sector staff and other stakeholders on the Belem do Para Convention, the Millennium Development Goals (MDGs), the Convention on the Rights of the Child and other such agreements.

There are also established legislation and proposed amendment to legislation which promote programmes designed to prevent, sanction and eradicate violence against women. For example the Charter of Rights and Freedom (that will replace chapter 3 of the Constitution), the National Gender Policy (that is being formulated), the Property (Rights of Spouses) Act, the Domestic Violence (Amendment) Act is all measures put in place to assist in the attainment of the objectives of the Convention.

The State also prepares and submits national reports to regional and international monitoring bodies such as CEDAW, Commonwealth Secretariat the CARICOM Secretariat and CIM on the advancement of women.

To vigorously pursue the agenda of eradication of violence against women the BWA and NGOs participate in international conferences and forum where best practices and implementation strategies are highlighted.

To encourage full compliance at the local level the BWA is educating stakeholders from a gender perspective (CBOs, schools, faith-based organization, security and justice workers) on laws that already exist and the mechanisms that are undertaken to strengthen and promote the prevention, punishment and eradication of violence against women.

III. FUTURE ACTIONS TO ADVANCE THE IMPLEMENTATION OF CIM STRATEGIC PLAN OF ACTION

a. At the national level, to improve the status of women

The greatest prohibitions to the success of any action are the pervasive sex-based stereotyping that perpetuates social prejudices and contributes to gender-based violence therefore the dissemination of information is essential to implementation. The BWA and women’s NGOs continue the effort to:

- Promote and conduct public education to create a gender sensitive legal environment.
- On completion of the National Gender Policy gender mainstreaming initiatives should be easier implemented.

- Improve public education to sensitize communities to help the nation understand gender-based violence.
- The State will continue its reporting obligations to the Inter-American Commission of Women, Convention on all Forms of Discrimination Against Women, Commonwealth Secretariat and CARICOM Secretariat on the advancement as well as on any challenges observed in preventing progress and factors that contribute to violence against women.

b. At the regional level, to support actions promoted by CIM in the short term.

Regional collaboration meetings facilitate cooperative efforts to share best practices; technical skills provide guidance for the way forward. .