



INTER-AMERICAN COMMISSION OF WOMEN

THIRTY-FOURTH ASSEMBLY OF DELEGATES
November 10 to 12, 2008
Santiago, Chile

OEA/Ser.L/II.2.34
CIM/doc.29/08
27 October 2008
Original: Textual

NATIONAL REPORT: JAMAICA

(Item 3 b) on the agenda)

REPORT TO THE THIRTY-FOURTH ASSEMBLY OF DELEGATES OF THE
INTER-AMERICAN COMMISSION OF WOMEN

CIM/RES.220/02 (XXX1-0/02)

*Prepared by the Bureau of Women's Affairs- Jamaica
September 30, 2008*

1. GENERAL ASPECTS

Summary of the Status of Women

Jamaica's national reports on the status of women undergird our national commitment to Human Rights as a means to achieve gender equality. This is substantiated by the nation's status as signatory to the Convention on the Elimination of All Forms of Discrimination Against Women regarded as the *International Bill of Rights on Women*. This achievement complements our efforts to implement Inter-American Program on the Promotion of Women's Human Rights and Gender Equality and Equity. At a national level, the proposed National Gender Policy (NGP) replaces the National Policy Statement on Women (1987) in recognition of the paradigm shift in social policy orientation from Women in Development (WID) approach to a Gender and Development (GAD) approach. The National Gender Policy which endorses gender mainstreaming as an internationally agreed mechanism to achieve gender equality as set out in ECOSOC resolution 1997/2 and reaffirmed by the Beijing Declaration and Platform of Action. Gender mainstreaming is a strategy to ensure that "the concerns of the average man and woman are integral to the design, implementation, monitoring and evaluation of policies and programs in all political, economic and social spheres so that men and women benefit equally and inequality is not perpetuated."

Gender and Demography

The proportion of females is 50.7 per cent as compared to males 49.3; giving a sex ratio of 97.1 males per 100 females- with varying ratios noted across different age groups. The current population structure is characterised by three distinct trends: a declining 0-14 age group (28.3 percent of the population); an increasing working age population (15-64) comprising 63.4 per cent of the total population; and dependent elderly age group (65+) accounting for 10.8 per cent of the total population. These trends are indicative of the improved status of women in terms of declining general fertility rates and increased life expectancy- noted in the predominance of women among the elderly population. The trends in the population structure is indicative also of a decreasing Age Dependency Ratio (ADR) of 57.8 dependents per 100 persons of working age in 2007 from 66.7 persons in 2001 and 73.3 (1991). The lower ADR is indicative of the potential for human resource development of the working age population. It also denotes an alleviation of the burden of unpaid work of women in the care of the elderly and the children and also their availability for work also.

Gender and Poverty

The figures for female-headed households (FHH) are as follows: Kingston Metropolitan Area (KMA) 55.2 per cent, other towns 43.2 per cent and rural areas 41.7 per cent. The overall average is 46.7 per cent. The proportion of FHH in poverty predominates in the poorest quintiles and larger household composition (3.6 members) on average as compared with their male comparison group (3.0). The past decade has registered a 14 per cent decline in consumption levels of FHH in contrast to 1.4 per cent decline in male headed household. The percentage of female headed households challenges the normative assumption of the *traditional family*- with male as head and breadwinner of the family with woman as caregiver/secondary earner - and holds implication for the sexual division of labour in the world of work and poverty eradication strategies. Remittances have emerged as an important source of income of 57.9% of FHH.

Women - Labour and Employment

The labour force participation rate of females (56.5%) is less than males (73.6%). The Desk Review (2005) reports an *occupational segregation (OSS) index* of 35.8 (Bailey and Ricketts, 2003) meaning that 35.8 per cent of each gender group would have to change their occupation to achieve gender equality. The current ESSJ (2007) shows that there is a predominance of males in occupational groups such as: Skilled Agriculture and Fishery Workers (82.1 per cent); Craft and Related Trade Workers (89.5 per cent), Plant and Machine Operators and Assemblers (93.0 per cent). Females were over represented in the occupational groups: Clerks (75.7 per cent); Service Workers, Shops and Market Sales (62.2 per cent), Elementary Occupations (52 per cent), Professionals, Senior Officials and Technicians (59.0 per cent). The gender differentials in the labour force indicate an entrenched bias against female participation in technical areas. The academic and professional advances made by Jamaican women in the area of Professionals, Senior Officials and Technicians.

The Economic and Social Survey of Jamaica (ESSJ) 2007 indicate a 2:1 ratio of female unemployment (14.5%) compared males (7%) with a situation that is more acute for female youths (14-24 yrs) with unemployment at 31.6% compared to male youth unemployment at 17.4%. The unemployment rate for 2006 is 10 per cent.

The figures for employment by industry group indicate the three largest industries in national economy providing employment opportunity were: Community, Social and Personal Services (27.9 per cent), Wholesale and Retail Trades, Hotels and Restaurant Services (23.0 per cent) and Agriculture Forestry and Fishing (18.2 per cent). Although the figures are not sex-disaggregated, an extrapolation can be inferred from baseline data supplied by the Human Development Report (UNDP, 2000) that show gender inequality in sex distribution of economic activity by industry group (1994-1997) in which Agriculture (males 31 percent; female 11 per cent); Industry (males 27 per cent; females 12 per cent) and Services (males 42 per cent and females 77 per cent). This further reinforces an entrenched sexual division of labour as a feature of Jamaican Labour market. This holds implications for the flexibility required to adjust to the globalization trends under the 'new international division of labour'.

Women and Education

Daily school attendance rates and literacy continue to be higher for females at all three (3) levels of the education system (primary, secondary, tertiary) but females still manifest a tendency to favour “soft” subjects (i.e. the arts and humanities)..

Jamaica has made significant strides towards the achievements of Goal 2 of the MDG’s: *ensuring that all boys and girls complete a full course of primary schooling*. The gross enrolment rate for primary level was 94.3 per cent; approximately 98.8 per cent of males and 95.3 per cent of females were registered. The gender issues as it relates to males refer to the overrepresentation of female teachers at the primary level where they account for 89.3 per cent of the total; Females account for 68.7 per cent of teachers at the secondary level

The output of post-secondary education and training institutions is critical to providing skilled and semi-skilled manpower to the Jamaican labour force.

Total output of Jamaican students from University of the West Indies (UWI) was 3 274 (77.1 per cent females) in 2005/6. Total number of graduates, University of Technology 1,591 (54.3 per cent female); Sex disaggregating of curriculum areas show gender differential that comes to bear on the output of professionals, senior officials and technicians: Business Administration 449 (67.3 per cent females); School of technical and vocational education, 355 (64.8 per cent females) School of building and Land Management 185 (77.3 per cent males). While females are outperforming males educationally, their access to employment remains generally lower except in cases where women are preferred as a means of reducing production costs. Women continue to be outnumbered by men at the highest level of corporate power and decision-making.

Women and Health

There has been a general improvement in life expectancy for both women and men with a female advantage in life expectancy and the disparity growing. Data from the Ministry of Health show that more females access the public health system than males. At the same time health adjusted life expectancy after the age of 60 shows that women spend more time in illness and disease than men. However some of the gains in life expectancy have been reversed in recent years due to the impact of HIV/AIDS.

Several measures are being taken to educate persons on the link between Gender-based Violence and HIV/AIDS. The activities include continued national anti-stigma campaign to provide information on the disease as well as prevention strategies and access to treatment for men and boys as well as monitoring of acts of stigma & discrimination against persons affected by and living with HIV/AIDS.

Women in Power and Decision-Making

In general there is gender disparity in most areas of public life and while change is occurring it is happening at an extremely slow rate. The number of women holding political decision-making office still remains disproportionately low compared to men. Women are markedly absent on boards

that deal with financial management and investment both in the public and private sector and few women are found on boards in traditionally male dominated fields such as transportation and agriculture. The senior management of Trade Unions remain an almost exclusive male preserve and women are marginally present on Boards of large public sector bodies that deal with economic development issues. Figures on gender balance in juridical decision making indicate a female majority at the lowest level of Resident Magistrate (63%) and women form 43% of High and Supreme Court Judges. Presently, both the Chief Justice of Jamaica and the Minister of Justice & Attorney General are females. The teaching profession comprise a high percentage of women (85%) but at the level of governance (administration and as principals) men are disproportionately represented. Similarly the General Council of the JTA are women (66%) while the leadership has been primarily male.

II. FOLLOW-UP ON IMPLEMENTATION OF THE INTER-AMERICAN PROGRAM ON THE PROMOTION OF WOMEN'S HUMAN RIGHTS AND GENDER EQUITY AND EQUALITY AND THE STRATEGIC PLAN OF ACTION OF THE CIM

A. The legal, political, and socio-economic situation

Legal

Although the legal process can be somewhat delayed, the Government of Jamaica through the work of the Bureau of Women's Affairs has been supporting law reform in the promotion of women's human rights and achieving towards gender equality. The Commonwealth Secretariat has developed Model Legislation for the Caribbean region which the Government of Jamaica has used to develop and amend several pieces of legislation addressing women's legal status and rights as well as gender inequality. Gender sensitive analysis on the part of the Bureau with the help of gender sensitive lawyers has been useful in this reform process as it has improve the detection of instances where the legal system is based on gender-biased assumptions and myths. Similarly an ongoing gender analysis of 42 existing laws is informing the legislative amendment and development process towards highlighting which legislation require further amendment or repeal and areas where new legislation maybe required.

The **Domestic Violence (Amendment) Act** continues to provide redress and protection to women affected by domestic violence. The **Property (Rights of Spouses) Act, 2004** introduced new statutory rules to provide for the equitable division of assets between spouses upon marriage or relationship breakdown. This Act, though gender neutral in its provisions is beneficial to women in its practical application, as the deficiencies under the old law have been removed which formerly placed women at a disadvantage in proving entitlement to property. The **Maintenance Act, 2005** was amended to include comprehensive provisions for maintenance within the family. It confers equal rights and obligations on spouses with respect to the support of each other and their children. Accordingly "spouse" is similarly defined to include a *de facto* spouse.

Submissions have been made to Parliament with proposed changes to the law relating to rape including marital rape, anonymity of complainant in rape and other sexual offences, as well as incest. **The Incest (Punishment) (Amendment) Act and the Offences against the Person (Amendment) Act** are still set for more deliberations in Parliament to bring the law in Jamaica in line with modern legislation to specifically address sexual violence against women and children.

The **Draft Sexual Harassment Policy** currently under review for Cabinet approval is expected to inform the enactment of legislation on the issue. Subsequently, sexual harassment training workshops are being conducted by the Bureau of Women's Affairs in partnership with UNIFEM towards sensitizing staff from the Human Resource units of line ministries as well as other staff members within the public sector.

Political

Despite the educational strides by women and their sensitization to the need for inclusion and gender balance in the politics of the country, the political arena in Jamaica remains the domain of men. The data highlights the disparity: Of the sixty (60) candidates put forward by both political parties for the 2007 General Election – PNP (Opposition) 17% (F), 83% (M); JLP (Government) 12% (F), 88% (M) and of the Fourteen (14) ministers that make up the ruling party's Cabinet – 14% (F) and 86% (M). At the 'top end' of Central Government there appears to be a better sex balance - 53% (F) and 47% (M) but overall women tend to be concentrated in sectors commonly associated with their 'traditional' gender roles. There has been some recognition regarding the need to reform the inherited Westminster model of political institutions and the overall system of governance. At the same time there is a lag in both political will and results in the areas of programmes to increase support for campaign finance for female politicians, the numbers of female politicians, and the enforcement of quota legislation. In this regard, efforts to reduce gender disparity need improvement.

While there appears to be no deliberate attempts to bar women from representational politics the factors working against women remain the same, namely: the cost of political campaigns given women's low economic status, the burden of family responsibilities, women's lack of confidence in putting themselves forward for political candidacy, their need to prove they are 'man enough' to balance personal and family life. There is also the lack of financial and emotional support including financially from other women.

Socio-Economic

The Jamaican economy is small and heavily dependent on trade, production and tourism. As a result the economy is highly vulnerable to external shocks and world market price fluctuations. Developments in the international economy which impacted the Jamaican economy included: increased commodity prices, especially for grains, oil, and fertilizer; a slowing of output and weakening consumer demand. Within the domestic economy the main factors included: natural disasters, rising prices resulting in an inflation rate of 16.8 per cent; fiscal deficit by 1.9 billion to 40.3 billion as well as exchange rate depreciation. New trade negotiations are expected to affect domestic policies, trade in services, agricultural development and environment regulations.

Given the gendered reality of women's dual roles (productive and reproductive) and the predominance of female headed households, women and their families remain particularly vulnerable to domestic and international developments which affect the provision of infrastructure, food and services. The economic activities of many rural women are organised around poultry rearing, crop production, fisheries, craft, and agro-processing which fluctuate fairly sharply between growth and decline as a result of extreme weather patterns (droughts and floods) which continue to adversely affect output. Female employment and participation in the labour force are constantly being shaped by the demands of international trade, multilateral and bilateral trade agreements and the global market. In this regard, the Bureau of Women's Affairs has repeatedly highlighted the significance of incorporating a gender perspective in all trade negotiations and agreements and continues to collaborate with regional partners to promote gender mainstreaming efforts in disaster preparedness and emergency management.

Women and girls are still victims of gender-based violence including rape, carnal abuse, buggery, sexual harassment, trafficking in persons, domestic violence, and sexual violence. In 2006 the Victim Support Unit of the Ministry of Justice handled 711 cases of domestic violence 686 reported cases of carnal abuse 575 cases of rape. Girls and boys are becoming increasingly vulnerable to sexual violence and more likely to become abusers themselves due to contributing factors such as poor parenting, child abuse and substandard living conditions. The Government of Jamaica continues to put policies and programmes in place to address gender-based violence. Initiatives spearheaded by NGOs, FBOs and CBOs and the private sector are also in place. Partners have also been forged with international and regional organizations to this end.

Programmes on Gender Mainstreaming

The Gender Advisory Committee (2004) continues to oversee the formulation of the National Gender Policy. A matrix of gender focal points established in various ministries will facilitate the streamlining and /or multi-sectoral coordination of gender equality activities within and between all government ministries, agencies.

The Bureau of Women's Affairs continued its gender mainstreaming thrust as outlined in its Strategic medium term plan (2007-2010). This includes public education initiatives to sensitize the judiciary, public sector staff and other stakeholders on international conventions such as the Belem do Para, ICPD, CEDAW, the MDG's and other international agreements on the human rights of women and girls and other related gender issues.

Partnership for Peace: A Violence Prevention Programme

The Bureau participated in the Partnership for Peace Programme hosted by the Dispute Resolution Foundation in association with the Department of Correctional Services. This was a sensitization for Resident Magistrates in relation to Court-connected batterer intervention programme. This programme is intended to be Caribbean-specific in its understanding of the problems of domestic violence in terms of its programme content and objectives. It features an understanding of the social construction of gender roles and the strengthening of masculinity as a strategy for addressing the issues of gender-based violence, noting that males are the primary aggressors.

The Sisters to Sisters Program is a *gender budget initiative* that was formulated by the Minister of Information, Culture Youth and Sports (MICYS) in collaboration with the Bureau of Women's Affairs under the International Women's Day theme: ***Financing for Gender Equality and Women's Empowerment***. This initiative was designed to raise funds for the Women's Centre of Jamaica Foundation programme for teen mothers and also for a shelter for battered women. This was an initiative geared towards reducing violence against women and girls.

Citizen's Security and Justice Programme (CSJP): This programme of the Ministry of National Security is responsible for the production of the National Crime Victimization Survey and a Diagnostic Study of Jamaica's Justice System. The CSJP also assists in funding the Safe Schools Project.

The Safe Schools Programme continued its focus on issues of school safety on the compound and on the roads includes the *Safe Bus Ride Initiative* which partners with Mothers in Crisis, the Police, Road Safety Unit, Transport Authority and the National Values and Attitudes Committee to monitor children's behaviors on buses, and bus operator's observance and enforcement of traffic regulations. Assessment instruments and safe schools indicators were developed by the programme to enable schools to gauge their progress towards becoming safer environments. A survey on violence in schools for the academic year 2005-2006 was implemented by the Safe Schools Programme to serve as a baseline assessment of progress in schools and a starting point for the development of school-based assessment. Likewise, a survey of school gangs was conducted to determine the prevalence of gangs in schools with emphasis on schools reporting gang activity.

Safer Cities for Women and Girls: Recently the Bureau of Women's Affairs was introduced to the concept of safer cities for women and girls at two conferences. One was held in Atlanta Georgia under the ***CIFAL Gender Equality and Government: America Forum*** and the other was held in Monterrey, Nuevo Leon, Mexico. The objective of this concept is to further upscale the attempts of cities to address critical areas such as urban crime and violence around safety for women and girls, youth empowerment and improved policing to enhance better governance. As a result of the participation in these sessions, the Bureau is seeking to mainstream this aspect towards in its policies and programmes peace and security. In fact, the main forum for International Day for the Elimination of Violence Against Women on November 25 explored issues regarding making our cities safer for our women and girls and promoting a culture of peace.

The Centre for the Investigation of Sexual Offences and Child Abuse (CISOCA) Women and girls are the main victims of gender-based violence. The Government has established the Centre for the Investigation of Sexual Offences and Child Abuse (CISOCA) in order to allow for the speedy and effective investigation of sexual offences, create an atmosphere which encourages victims to report incidents of sexual offences and to assist in enhancing the rehabilitation of victims through counselling and therapy.

Research and Development:

The Centre for Gender and Development Studies, UWI Mona produced a report on The Root Causes of Gender Based Violence. **Women's Media Watch** has created a module of gender awareness in the media for the Caribbean Institute of Media and Communications (CARIMAC). **The Violence Prevention Alliance** in collaboration with the Ministry of Health conducted a study to estimate the cost of violence-related injuries in Jamaica. This is a pilot project funded by the World Health Organization.

The JAMSPRED database of Jamaican social policy and research literature is the product of the technical working group (TWG) of the Jamaica Social Evaluation Project in collaboration with SALISES, UWI and the National Library of Jamaica that was designed to strengthen an evidential basis of national decision making

An outline of public policies and progress made with respect to legislation

Legal reform

The Constitution of Jamaica does not include sex among the legally prohibited ground of discrimination. The Charter of Rights and Freedoms (Constitutional Amendment) Bill was tabled in Parliament in 2006 and referred to the Joint Select Committee. Such an amendment will allow women to pursue redress through the constitutional court on the grounds of sex discrimination.

Measures taken to prevent, punish and eradicate violence against women and actions to implement the Belem do Para Convention

- It is proposed that the Incest Punishment Act (1948) be reclassified from a misdemeanour and upgraded to a felony with a maximum sentence of 25 yrs.
- Migration Work Permit Review Committee have suspended the granting of work permits to exotic dancers in a bid to stem trafficking in persons as well as HIV/AIDS/STI.
- Enactment of Trafficking in Persons (Prevention , Suppression and Punishment) Act.
- A Victim's Charter comprises policies, programmes, and initiatives to improve the treatment of victims by the criminal justice system to fair and just treatment throughout the criminal justice process as counterbalanced by the rights of the accused.
- Other awareness raising activities include the production of pamphlets and brochures on sexual harassment, the CEDAW convention to assist in information sharing as it is recognised that the lack of awareness of human rights is an obstacle to women's seeking such rights.

III. FUTURE ACTIONS TO IMPLEMENT THE INTER-AMERICAN PROGRAMME ON THE PROMOTION OF WOMEN'S HUMAN RIGHTS AND GENDER EQUITY AND EQUALITY AND THE STRATEGIC PLAN OF ACTION OF THE CIM.

- Need for the collection of sex-disaggregated data;
- Continue to review, revise and amend existing discriminatory legislation;
- Ongoing public education, training and sensitization on gender-based violence;
- Enforcement of legislation;
- Increased collaborative efforts and networking;
- Inter-agency campaigns and other initiatives;
- Securing more shelters and safe houses;
- Training for law-enforcement officers and the judiciary;
- Development of a national plan of action;
- Continue to strengthen the Mechanism to follow up on the Implementation of the Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women, "Convention of Belem Do Para"- MESECVI.

The Government of Jamaica continues to be committed to the process of eliminating gender-based violence in all its forms, promoting human rights towards the achieving of gender equality and women's empowerment.