



COUNTRY OF ORIGIN INFORMATION REPORT

JAMAICA

24 DECEMBER 2009

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Preface

- i This Country of Origin Information Report (COI Report) has been produced by COI Service, United Kingdom Border Agency (UKBA), for use by officials involved in the asylum/human rights determination process. The Report provides general background information about the issues most commonly raised in asylum/human rights claims made in the United Kingdom. The main body of the report includes information available up to 10 November 2009. The 'Latest News' section contains further brief information on events and reports accessed from 11 November 2009 to 18 December 2009. The report was issued on 24 December 2009
- ii The Report is compiled wholly from material produced by a wide range of recognised external information sources and does not contain any UKBA opinion or policy. All information in the Report is attributed, throughout the text, to the original source material, which is made available to those working in the asylum/human rights determination process.
- iii The Report aims to provide a brief summary of the source material identified, focusing on the main issues raised in asylum and human rights applications. It is not intended to be a detailed or comprehensive survey. For a more detailed account, the relevant source documents should be examined directly.
- iv The structure and format of the COI Report reflects the way it is used by UKBA decision makers and appeals presenting officers, who require quick electronic access to information on specific issues and use the contents page to go directly to the subject required. Key issues are usually covered in some depth within a dedicated section, but may also be referred to briefly in several other sections. Some repetition is therefore inherent in the structure of the Report.
- v The information included in this COI Report is limited to that which can be identified from source documents. While every effort is made to cover all relevant aspects of a particular topic, it is not always possible to obtain the information concerned. For this reason, it is important to note that information included in the Report should not be taken to imply anything beyond what is actually stated. For example, if it is stated that a particular law has been passed, this should not be taken to imply that it has been effectively implemented unless stated.
- vi As noted above, the Report is a collation of material produced by a number of reliable information sources. In compiling the Report, no attempt has been made to resolve discrepancies between information provided in different source documents. For example, different source documents often contain different versions of names and spellings of individuals, places and political parties, etc. COI Reports do not aim to bring consistency of spelling, but to reflect faithfully the spellings used in the original source documents. Similarly, figures given in different source documents sometimes vary and these are simply quoted as per the original text. The term 'sic' has been used in this document only to denote incorrect spellings or typographical errors in quoted text; its use is not intended to imply any comment on the content of the material.

- vii The Report is based substantially upon source documents issued during the previous two years. However, some older source documents may have been included because they contain relevant information not available in more recent documents. All sources contain information considered relevant at the time this Report was issued.
- viii This COI Report and the accompanying source material are public documents. All COI Reports are published on the RDS section of the Home Office website and the great majority of the source material for the Report is readily available in the public domain. Where the source documents identified in the Report are available in electronic form, the relevant weblink has been included, together with the date that the link was accessed. Copies of less accessible source documents, such as those provided by government offices or subscription services, are available from the COI Service upon request.
- ix COI Reports are published regularly on the top 20 asylum intake countries. COI Key Documents are produced on lower asylum intake countries according to operational need. UKBA officials also have constant access to an information request service for specific enquiries.
- x In producing this COI Report, COI Service has sought to provide an accurate, balanced summary of the available source material. Any comments regarding this Report or suggestions for additional source material are very welcome and should be submitted to UKBA as below.

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Website: http://www.homeoffice.gov.uk/rds/country_reports.html

INDEPENDENT ADVISORY GROUP ON COUNTRY INFORMATION

- xi The Independent Advisory Group on Country Information (IAGCI) was set up in March 2009 by the Chief Inspector of the UK Border Agency to make recommendations to him about the content of the UKBA's country of origin information material. The IAGCI welcomes feedback on UKBA's COI Reports, COI Key Documents and other country of origin information material. Information about the IAGCI's work can be found on the Chief Inspector's website at <http://www.ociukba.homeoffice.gov.uk>
- xii In the course of its work, the IAGCI reviews the content of selected UKBA COI documents and makes recommendations specific to those documents and of a more general nature. A list of the COI Reports and other documents which have been reviewed by the IAGCI or the Advisory Panel on Country Information (the independent organisation which monitored UKBA's COI material from September 2003 to October 2008) is available at <http://www.ociukba.homeoffice.gov.uk/>

- xiii Please note: it is not the function of the IAGCI to endorse any UKBA material or procedures. Some of the material examined by the Group relates to countries designated or proposed for designation to the Non-Suspensive Appeals (NSA) list. In such cases, the Group's work should not be taken to imply any endorsement of the decision or proposal to designate a particular country for NSA, nor of the NSA process itself.

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Latest news

EVENTS IN JAMAICA, FROM 11 NOVEMBER 2009 TO 18 DECEMBER 2009

- 18 December The signing of a proposed loan of approximately US\$1.3-billion by the International Monetary Fund (IMF) to the Jamaican government has been postponed until next year.
No IMF agreement until next year, 18 December 2009
<http://www.jamaica-gleaner.com/gleaner/20091218/lead/lead7.html>
Accessed: 18 December 2009
- The European Union has awarded the human rights group, Jamaicans for Justice, a grant of \$34 million for a project aimed at strengthening access to justice through monitoring cases and providing legal representation for the victims of rights abuse and/or their families.
JFJ gets \$34-m grant from EU, 18 December 2009
<http://www.jamaicaobserver.com/news/JFJ-gets--34-m-grant-from-EU>
Accessed: 18 December 2009
- 16 November Recent reports suggest that crime is on the increase in established low-income housing developments such as Portmore Gardens, Southboro and Waterford. Incidents in Portmore in particular have been connected to corporate area gangs.
Cracking Portmore ganglands, 16 November 2009
<http://www.jamaica-gleaner.com/gleaner/20091116/lead/lead5.html>
Accessed: 16 November 2009
- 16 November Following concerns that well-known supporters of the People's National Party (PNP) still remain in sensitive posts two years after the Golding administration had been elected, Burchell Whiteman, Jamaica's high commissioner to the United Kingdom, is to be replaced.
Bye-bye, Burchell - New UK envoy by January, 16 November 2009
<http://www.jamaica-gleaner.com/gleaner/20091116/lead/lead3.html>
Accessed: 16 November 2009
- 11 November On 7 November 2009 the government announced that Owen Ellington had been appointed acting police commissioner. The appointment came a week after the resignation of Commissioner Hardley Lewin from a post seen by many as the "most challenging job in Jamaica."
Top cop set to shake things up - Acting commissioner goes to bat for more stringent screening, 11 November 2009
<http://www.jamaica-gleaner.com/gleaner/20091111/lead/lead3.html>
Accessed: 11 November 2009
- 2 November Jamaica's Police Chief, Rear Admiral Hardley Lewin resigned as police commissioner following rising concerns about the lack of police control over the country's spiralling crime rate.
Commish cops out - In 2 years, 2 police chiefs and 2 security ministers jump ship, 2 November 2009
<http://www.jamaica-gleaner.com/gleaner/20091102/lead/lead1.html>
Accessed: 3 November 2009

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REPORTS ON JAMAICA, PUBLISHED OR ACCESSED SINCE 11 NOVEMBER 2009

United Nations, <http://www.jm.undp.org/>

United Nations Common Country Assessment for Jamaica.2006 - 2010

<http://www.jm.undp.org/files/CCA- Jamaica 3-final-unct.pdf>

Date accessed 19 October 2009

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Background information

1. GEOGRAPHY

- 1.01 Jamaica is an island in the Caribbean Sea and lies south of Cuba. The country has an area of 10,991 sq km. Kingston is its capital and the island is divided into 14 parishes. Jamaica's total population was estimated at 2,825,928 (July 2009 est.). The official language of Jamaica is English though Patois is also widely spoken. (CIA World Factbook, updated 3 September 2009) [4a] In 2007, the estimated population of the joint parishes Kingston and St Andrew was 661,500, the second largest parish, St Catherine (capital Spanish Town), 495,000 and the smallest parish Hanover (capital Lucea), 69,500. (Labour Market Information System, accessed 9 September 2009) [1a]

Some useful sources on the Geography of Jamaica can be accessed via the following weblinks: [Country Studies - Jamaica Geography](#), and [Country Studies - Caribbean-Islands](#)

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MAPS

1.02 Map of Jamaica



MAP OF JAMAICA

<http://www.reliefweb.int/rw/rwb.nsf/db900SID/SKAR-64GDWU?OpenDocument>

MAP OF THE CARIBBEAN

<http://www.infoplease.com/atlas/caribbean.html>

DETAILED MAP OF JAMAICA

<http://www.caribbean-on-line.com/islands/jm/jmmap.shtml>

MAP OF KINGSTON

<http://www.caribbean-on-line.com/islands/jm/kgmap.shtml>

MAP OF MONTEGO BAY

<http://www.caribbean-on-line.com/islands/jm/mbmap.shtml>

UNITED NATIONS MAP FOR LATIN AMERICAN AND THE CARIBBEAN

<http://www.un.org/Depts/Cartographic/map/profile/eclac.pdf>

COUNTRY STUDIES, CARIBBEAN ISLANDS

<http://countrystudies.us/caribbean-islands/20.htm>

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2. ECONOMY

- 2.01 The Foreign and Commonwealth Office (FCO) Country profile, dated 5 August 2009, noted that: "Key sectors in the economy are tourism and bauxite. Alumina and bauxite account for more than half of exports. Agriculture also plays an important role. Remittances are also significant. High interest rates and high levels of debt increased foreign competition and a growing trade deficit as well as increasing food and oil prices present serious challenges. Other challenges include a need for the sugar industry to diversify." [6a] (p2)
- 2.02 The FCO report also noted: "Jamaica's 'brain drain' where talented Jamaicans leave the country in search of a better life elsewhere continues. High Levels of violent crime and corruption continue to threaten Jamaica's economic development. Political constraints deter budget austerity and fears have been raised about Jamaica's ability to meet its long-term obligations despite a record of it never having defaulted." (FCO Country Profile, 5 August 2009) [6a] (p2)
- 2.03 In 2008 the national minimum weekly wage was recorded as being \$3,700 Jamaican Dollars (JMD) or \$92.50 JMD per hour. Industrial Security Guards' minimum weekly wage was \$5,500 JMD or \$137.50 JMD per hour. (Labour Market Information System, accessed 9 September 2009) [1b] Jamaica's unemployment rate in 2008 was estimated at 11 per cent. With an estimated inflation rate at 22 per cent in 2008. (CIA World Factbook, updated 3 September 2009) [4a]
- 2.04 "Jamaica has natural resources, primarily bauxite, adequate water supplies, and climate conducive to agriculture and tourism. The discovery of bauxite in the late 1940s and the subsequent establishment of the bauxite-alumina industry shifted Jamaica's economy from sugar and bananas. By the 1970s, Jamaica had emerged as a world leader in export of these minerals as foreign investment increased." (USSD Background Note, Jamaica, June 2009) [8c] (p4)
- 2.05 "The Jamaican economy is heavily dependent on services, which now account for more than 60% of GDP. The country continues to derive most of its foreign exchange from tourism, remittances, and bauxite/alumina. Remittances account for nearly 20% of GDP and are equivalent to tourism revenues. Jamaica's economy, already saddled with the lowest economic growth in Latin America, will face increasing difficulties as the global economy slows. The economy faces serious long-term problems: a sizable merchandise trade deficit, large-scale unemployment and underemployment, and a debt-to-GDP ratio of almost 130%. Jamaica's onerous debt burden - the fourth highest per capita - is the result of government bailouts to ailing sectors of the economy, most notably the financial sector in the mid-to-late 1990s." (CIA World Factbook, updated 3 September 2009) [4a]
- 2.06 As of 9 September 2009, the universal currency converter, xe.com, noted the exchange rate as \$140.301 JMD to one British pound and \$85.000 JMD to one US dollar. [18a]
- 2.07 Amnesty International USA website, accessed 11 September 2009, noted the following on Jamaica's economy:

“Jamaica entered 2008 with a familiar unease, the economy staying stagnant and the level of under-employment chronically high. Gun violence takes place at a per capita rate on par with South Africa and Colombia, the world's most violent nations. At the same time that poverty is endemic and public services are under-resourced, the Jamaican government spends nearly 60 cents of every dollar it collects on debt servicing and recurrent expenditure. Meanwhile, Jamaicans must cope with slides in the value of their dollar and cost hikes in food, fuel and interest rates.” [3a]

Also see [Gun violence](#)

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FOREIGN AID

2.08 The June 2009 US Department of States (USSD Background Note) observed:

“... Jamaica has had close ties with the UK, but trade, financial, and cultural relations with the United States are now predominant. ...The Government of Jamaica also seeks to attract U.S. investment and supports efforts to create a Free Trade Area of the Americas (FTAA). More than 80 U.S. firms have operations in Jamaica, and total U.S. investment is estimated at more than \$3 billion.... U.S. Agency for International Development (USAID) assistance to Jamaica since its independence in 1962 has contributed to reducing the population growth rate, the attainment of higher standards in a number of critical health indicators, and the diversification and expansion of Jamaica's export base. USAID's primary objective is promoting sustainable economic growth. ... In fiscal year 2006, the USAID mission in Jamaica operated a program totalling more than \$21 million in development assistance ...” [8c] (p4)

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3. HISTORY

See also [Annex A: Chronology](#)

- 3.01 Europa Country Profile, Jamaica, accessed 9 September 2009 reported: "Jamaica a British colony from 1655 was granted internal self government in 1959, and full independence, within the commonwealth, was achieved on 6 August 1962. Jamaica formed part of the West Indies Federation between 1958 and 1961. The Federation was dissolved in May 1962." [5a] (p1)
- 3.02 "The two dominant political figures after the Second World War were the late Sir Alexander Bustamante, leader of the Jamaica Labour Party (JLP), who retired as Prime Minister in 1967, and Norman Manley, a former Premier and leader of the People's National Party (PNP), who died in 1969. The JLP won the elections of 1962 and 1967..." but lost the election "... of February 1972 to the PNP, led by Michael Manley, the son of Norman Manley. Michael Manley advocated democratic socialism and his government put great emphasis on social reform and economic independence." (Europa Country Profile, Jamaica, accessed 31 October 2008) [5a] (p1)
- 3.03 "The early 1970s were marked by escalating street violence and crime, with gang warfare rife in the deprived areas of Kingston. ... In June 1976 the government declared a state of emergency which remained in force until June 1977." There was high unemployment, severe economic stagnation and, in 1979, violent demonstrations against the Government took place. "... A general election took place in February 1989, the PNP secured an absolute majority of the seats in the House of Representatives and Michael Manley... again became Prime Minister." (Europa Country Profile, Jamaica, accessed 31 October 2008) [5a] (p1&2)
- 3.04 In 1991, the Minister for Mining and Energy, Horace Clarke and the Deputy Prime Minister, Percival Patterson resigned from office amid opposition allegations of corruption and misconduct, during the controversy surrounding the waiving of taxes worth US\$30m, which was owed to Jamaica. In March 1992, Michael Manley announced his resignation from the premiership and presidency of the PNP. Percival Patterson was elected Manley's successor and appointed Prime Minister. (Europa Country Profile, Jamaica, accessed 31 October 2008) [5a] (p2)
- 3.05 Patterson was sworn in as Prime Minister for a third consecutive term following elections in December 1997, at which the PNP won 50 of the 60 seats. Patterson appointed a new cabinet and announced plans for Jamaica to become a republic within five years. (Europa Country Profile, Jamaica, accessed 31 October 2008) [5a] (p3)
- 3.06 Freedom House noted in its 2009 Freedom in the World report for Jamaica, that in March 2006 Portia Simpson-Miller, who had recently won the leadership of the PNP, became Prime Minister.

"Her victory was heralded as a major advance for the role of women in Jamaican politics. Simpson Miller remained a popular figure in 2007, with approval ratings exceeding 55 percent, but her government foundered due to

poor economic growth and the fallout from Hurricane Dean, which struck the island in August. In parliamentary elections held in September, voters gave the JLP 33 seats in the House of Representatives, ending the 18-year rule of the PNP, which took 27 seats. Opposition leader Bruce Golding became the new prime minister, but Simpson Miller survived her party's defeat, easily winning re election to her parliamentary seat." [32c]

- 3.07 Portia Simpson-Miller became the Seventh Prime Minister of Jamaica following the resignation of Percival Patterson on 31 March 2006, becoming the first ever female leader in the history of Jamaican politics. She was Prime Minister until 10 September 2007 when she lost at an election to Bruce Gloding of the Jamaica Labour Party. (Jamaica Information Service, 2008) [24y]
- 3.08 Bruce Golding was sworn in as Prime Minister on 11 September 2007, taking the Oath of Allegiance and the Oath of Office, and received the Instrument of Appointment from the Governor-General. (Jamaica Information Service, 11 September 2007) [24ak]
- 3.09 Freedom House reported: "In 2008, recently elected Prime Minister Bruce Golding of the Jamaica Labour Party saw his popularity ebb amid a slumping economy and rising crime. Authorities in the capital city of Kingston imposed a curfew in May in an attempt to stem the murder rate." (Freedom in the World Jamaica 2009) [32c]
- 3.10 Jane's Sentinel Country Risk Assessments – Jamaica (Executive Summary), dated 22 October 2008, stated:

"Since gaining independence from the UK in 1962, Jamaica has established a stable parliamentary system and power has alternated between the two major political parties: the Jamaica Labour Party (JLP) and the People's National Party (PNP). However, the rule of law is undermined by Jamaica's high levels of crime, especially violent crime, often linked to drugs and arms trafficking. Crime is fuelled by a weak economy, despite the government's efforts to increase foreign investment and further exploit the country's bauxite/alumina resources. The security forces receive international assistance, particularly from the UK, but are struggling to make a significant impact on the crime waves. However, the security situation has not sparked major political upheavals since the 1970s. The current JLP government of Bruce Golding took office in September 2007, after 18 years of rule by the PNP. In spite of a tightly fought campaign and a narrow victory, with the JLP securing 50.1 per cent of the popular vote and 33 parliamentary seats to 49.8 per cent and 27 seats for the PNP, the election was relatively peaceful, with only isolated incidents of low-level violence." [87a]

The BBC Country Profile last updated 4 March 2009 also provided an overview of Jamaica. Full details can be accessed via the following weblink: [*BBC News Country Profile - Jamaica*](#) [21e]

Additional information can also be accessed via the following weblink: [*The Jamaica Gleaner*](#) [34a], First anniversary has Golding delivered? reported 7 September 2008.

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4. RECENT DEVELOPMENTS

- 4.01 Developments in Jamaica on political and humans rights issues included the murder of John Terry, the British Honorary Consul in Jamaica on 9 September 2009. *The Telegraph* amongst other sources reported on 11 September that this was a homophobic attack, after a note was found next to the body claiming that Mr Terry was a 'batty man' (a homophobic term for gay men). The police authorities however have denied such reports pending a full investigation, but *The Telegraph* report added: "Jamaica has a reputation for having an aggressively homophobic culture on top of its extremely high crime and murder rates." [14a]
- 4.02 *The Sunday Herald* reported on 26 August 2009 that: "The United States government has made a formal request for the extradition of Jamaica Labour Party strongman Christopher 'Dudus' Coke on alleged drug trafficking charges. Coke is the leader of Tivoli Gardens, where residents are fiercely loyal to the ruling party. Details are sketchy, however, Coke is believed to be on a list of drug trafficking suspects wanted by the US Drug Enforcement Agency." [86a] Concerning the same subject matter, *The Sunday Herald* reported on 30 August 2009 that implications of the above extradition request are expected to unfold in the coming weeks and months. [86b]
- 4.03 National NGO, Jamaicans For Justice (JFJ), reported on 21 August 2009 on recent attacks on the police. The organisation noted in particular "the killing of Woman Constable Georgette Collymore ..." and the further "... attack on two policemen ..." in the same period. The JFJ condemned the attacks and asked Jamaicans to consider such attacks as attacks against society and themselves. [50a]
- 4.04 During the Annual Meetings of the World Bank Group and the International Monetary Fund (IMF), held in Istanbul, Turkey over the period 3 to 7 October, the Minister of Finance and the Public Service, Honourable Audley Shaw thanked the World Bank for the offer of a US\$15 million loan for the Rural Economic Development Initiative (REDI) Project, which is aimed at improving market access for micro and small-scale rural agricultural producers, and for tourism product and service providers in Jamaica.

"Minister Shaw acknowledged that projects like REDI can assist in rural transformation and empowerment, and appealed to the Bank to play a greater role in the economic transformation of the Caribbean. He also welcomed the establishment in Jamaica of offices of the International Finance Corporation (IFC) of the World Bank Group, to promote private sector investment in infrastructure and small business."

"Mr. Shaw called on the World Bank to work in co-operation with the IMF in finding sustainable solutions to the region's problems, which were now being exacerbated by the world economic crisis. Specifically, the Minister spoke to the impact of the crisis on the Jamaican economy, including plunging revenues from reduced remittances and foreign exchange flows, as well as reduced earnings from the bauxite industry. Minister Shaw encouraged the Bank to intensify its efforts in working with Jamaica to find innovative solutions to the country's high indebtedness." (Jamaica Information Service, 7 October 2009) [24j]

Further recent developments can be accessed via the following weblinks:

[Freedom house, 2009 country report](#), [32] the [Jamaica Gleaner](#) [34] and the [Jamaica Observer](#) [36]

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5. CONSTITUTION

- 5.01 Europa World Online, accessed on 15 September 2009, recorded: “The Constitution came into force at the independence of Jamaica on 6 August 1962. Amendments to the Constitution are enacted by Parliament, but certain entrenched provisions require ratification by a two-thirds’ majority in both chambers of the legislature, and some (such as a change of the head of state) require the additional approval of a national referendum.” **[5e] (Constitution)** The same sourced added: “The Head of State is the British monarch, who is locally represented by the Governor-General, appointed by the British monarch, on recommendation of the Jamaican Prime Minister in consultation with the Leader of the Opposition party.” **[5f] (Head of State)**
- 5.02 Europa World Online accessed 15 September 2009, also noted: “The Constitution includes provisions in safeguarding the fundamental freedoms of the individual, irrespective of race, place of origin, political opinion, colour, creed or sex ...” **[5g] (Fundamental Rights and Freedoms)**
- 5.03 Chapter three of the Jamaican Constitution (1962) sets out the following fundamental rights and freedoms:
- “a The right to life. This section provides that ‘no person shall intentionally be deprived of life save in execution of the sentence of a court in respect of a criminal offence of which he has been convicted.’ It also stipulates that a person shall not be regarded as having been deprived of his life in contravention of this section if he dies as a result of the use of force in protection from violence, defence of property, to effect a lawful arrest, to prevent escape from lawful detention, in suppression of a riot, insurrection or mutiny or in lawful prevention of a criminal offence.
 - b Protection from arbitrary arrest or detention
 - c Protection from inhuman treatment
 - d Compulsory acquisition of property
 - e Freedom of movement
 - f Protection for privacy of home and other property
 - g Provision to secure protection of law
 - h Freedom of conscience
 - i Freedom of expression
 - j Freedom of assembly and association
 - k Protection from discrimination on the grounds of race.” **[2] (section 13)**

(See [Caribbean Court of Justice](#))

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6. POLITICAL SYSTEM

6.01 Jamaica has a bicameral parliament consisting of the Senate or Upper House and the House of Representatives. Europa World Online, accessed 11 September 2009, noted that: "The Senate or Upper House consists of 21 Senators, of whom 13 will be appointed by the Governor-General on the advice of the Prime Minister and eight by the Governor-General on the advice of the Leader of the Opposition... The House of Representatives or Lower House consists of 60 elected members called Members of Parliament." [5c] (Legislature)

6.02 Europa further noted:

"The Prime Minister is appointed from the House of Representatives by the Governor-General, and is the leader of the Party that holds the majority of seats in the House of Representatives. The leader of the party is voted in by members of that party. The Leader of the Opposition is voted in by members of the Opposition party. The Cabinet consists of the Prime Minister and not fewer than 11 other ministers, not more than 4 of whom may sit in the Senate. The members of the Cabinet are appointed by the Governor-General on the advice of the Prime Minister." (Accessed 11 September 2009) [5c] (Legislature)

(Also see [Political affiliation](#))

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7. HUMAN RIGHTS

INTRODUCTION

- 7.01 The US State Department Report on Human Rights Practices 2008 (USSD 2008), published on 25 February 2009, noted that:

“While the government generally respected the human rights of its citizens, there were serious problems in some areas, including unlawful killings committed by members of the security forces, abuse of detainees and prisoners by police and prison guards, poor prison and jail conditions, impunity for police who committed crimes, an overburdened judicial system and frequent lengthy delays in trials, violence and discrimination against women, trafficking in persons, and violence against suspected or known homosexuals.” [8a] (p1, Introduction)

- 7.02 Amnesty International’s 2009 Annual Report stated: “There were high rates of murder and police killings in socially excluded inner-city communities. The government initiated some reforms to the police and justice system to tackle the security crisis. Discrimination and violence against women and people in same-sex relationships were widespread. At least one person was sentenced to death; there were no executions.” [9a]

- 7.03 An Amnesty International (AI) report, dated 21 July 2009, provided facts and figures on the full scale of the humanitarian situation in Jamaica, noting:

“In 2008, there were 1,611 murders in Jamaica, which, while less than the peak of 1,674 in 2005, was an increase of 2.3% on 2007. 628 people were murdered between January and May 2009 compared to 688 in the same period in 2008 (Jamaica Constabulary Force). “Between 2003 and 2008, a total of 398 children have been killed by violent means either due to gang warfare or attacks, abductions, rape and murder. Another 441 have been injured by guns ...” [9d]

- 7.04 Another Amnesty International report entitled: ‘Public security reforms and human rights in Jamaica’, dated 21 July 2009, noted: “People in Jamaica’s inner cities have for decades been caught between the reign of fear exercised by criminal gangs and violent policing. Far-reaching reforms to the police and the justice system have begun. As this report shows, these reforms have now reached a critical stage. With political will and commitment, they can help drive forward the changes needed to tackle entrenched human rights problems in the inner cities.” [9g]

- 7.05 Amnesty International USA report dated 21 July 2009 stated:

“Jamaica has extremely high rates of violent crime. According to police statistics, in 2008 alone there were 1,611 murders in Jamaica – in a population of only 2.7 million. Most of the victims live in socially-excluded inner-city areas. In 2008 the proportion of child victims grew significantly.

“During 2008, an additional 224 people were fatally shot by police officers. It is estimated that in the first five months of 2009 alone, police killings increased by 58 per cent, however, police officers are rarely punished for these crimes.

There have been no convictions against a police officer since 2006 and only 4 convictions between 1999 and 2009 out of a total of more than 1,700 reports of fatal shootings.

- 7.06 “ ‘The outlook for Jamaica is still grim with alarming rates of killings and almost no convictions of state agents accused of serious human rights violations, said Kerrie Howard, Americas Deputy Director at Amnesty International. ‘What is different now is that we finally see initiatives that might lead to real change’.” (Amnesty International USA, 21 July 2009) [3d]

Also see [Death penalty](#)

Additional and more detailed information on the human rights situation in Jamaica can be assessed via the following weblinks: [Amnesty International USA Human Rights issues](#), accessed 14 September 2009 [3c], [Amnesty International 2009 report](#), [9a] [USSD report for 2008](#), released 25 February 2009 [8a], [Amnesty International report. Let them kill each other](#), April 2008, [9f], [Amnesty International, Facts-and-Figures](#), 21 July 2009 [9d] and [Amnesty International report, Gangs and police](#), 2 April 2008 [9e], [Amnesty International - Public Security Reforms](#), 21 July 2009 [9g]

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8. CRIME

OVERVIEW

8.01 A report by Amnesty International (AI) USA, entitled, *'Let them kill each other', public security in Jamaica's inner cities*, dated April 2008, reported that Jamaica has been ranked as one of the countries with the highest violent crime rates in the world. A lack of adequate policing, and a lack of trust in the police, particularly in the inner cities, has led to a gradual increase in violent crime caused by gang violence. [3b]

8.02 The AI report provides information about the full scale of gang crime in Jamaica and the humanitarian issues surrounding it. The report is based on AI's visit to the country, including the inner-city communities of Kingston, St Andrew and St Catherine during 2007. In a general overview the report stated that:

"In 2005, 1,674 people were the victims of homicide - a record high in a country with 2.7 million inhabitants. This is not a sudden crisis, but follows a steady increase in violent crime over recent years. The use of guns to commit murder has also increased. The main body responsible for policing in Jamaica is the Jamaica Constabulary Force (JCF). However, far from protecting people from violent crime the JCF is contributing to the escalation of violence. Jamaica has one of the highest rates of police killings in the Americas. In 2007 alone, 272 people were fatally shot by JCF officers. There are no official figures available on the numbers of police officers killed in the line of duty in the same period. ... Many of those responsible for violent crime are not brought to justice because of failings in the justice system. The number of murders investigated and solved by the police is extremely low. Prosecution and conviction rates are also extremely poor." [3b]

8.03 Giving a general overview of the findings, the report concluded:

"The cases and data in this report show how Jamaica is now in the midst of a full public security crisis in its inner cities with an average of three homicides a day and three police killings every four days in a population of less than one million people [in Kingston]. There can be no doubt that the challenges such a crisis presents for policing and for the safety of police officers are extraordinary. However, the nature of this crisis can never be used as an excuse to compromise on the best quality policing, and much less to commit serious systematic human rights violations." [3b]

The full report can be accessed via the following AI weblink:
<http://www.amnestyusa.org/document.php?lang=e&id=ENGAMR380012008>
Let them kill each other; Public safety in Jamaica's inner cities, April 2008, accessed 11 September 2009

8.04 *The Jamaica Gleaner* reported on 15 October 2008 that the British minister of state for trade and development, Gareth Thomas, stated that: "Jamaica's gross domestic product (GDP) growth is being stifled by the country's high murder rate. ... Jamaica could achieve annual GDP growth of 5.4 per cent if the island's homicide rate was reduced." Mr Thomas referred to a World Bank study, which indicated that Jamaica's economic prospects were severely

undermined by its chronic crime problem, and pointed out the high crime rate discouraged tourists from visiting the island. [34y]

- 8.05 The Freedom House's Freedom in the World Jamaica 2009 report, recorded that:

"In 2008, Jamaica remained trapped by a vicious circle in which violent crime helped to depress tourism and investment. The country suffered nearly 1,700 homicides in 2005, and while the annual total dipped slightly over the next two years, homicides rose again in 2008, topping 1,600 by year's end. In May, authorities in Kingston imposed a temporary curfew after a particularly shocking string of murders put the nationwide total at more than 500 since the beginning of the year." [32c] (p3)

- 8.06 The US State Department Travel Information for Jamaica, last updated 13 October 2009, noted that crime was a serious problem in Jamaica, particularly in the Capital, Kingston and warned visitors to take additional care in securing their property whilst in the country and to pay extra attention to their surroundings when travelling, exercise care when walking outside after dark, and to always avoid areas known for high crime rates. "... While the vast majority of crimes occur in impoverished areas, the violence is not confined. The primary criminal concern for tourists is becoming a victim of theft. In several cases, armed robberies of Americans have turned violent when the victims resisted handing over valuables. Crime is exacerbated by the fact that police are understaffed and ineffective." [8b]

- 8.07 The US State Department Travel Information for Jamaica, last updated 13 October 2009, noted that:

"Gang violence and shootings occur regularly in certain areas of Kingston and Montego Bay. These areas include, but are not limited to Mountain View, Trench Town, Tivoli Gardens, Cassava Piece, and Arnett Gardens in Kingston, and Flankers in Montego Bay. Some neighborhoods are occasionally subject to curfews and police searches. Impromptu demonstrations can occur, during which demonstrators often construct roadblocks or otherwise block the streets." [8b]

- 8.08 In its 2008 Crime & Safety Report, the Overseas Security Advisory Council (OSCA) recorded that: "The greater Kingston metropolitan area (i.e., Kingston, St. Andrew and St. Catherine) remains the most criminally active and the most dangerous area on the island. Murders, shootings, robberies, sexual assaults, and burglaries continue to plague Kingston." [94a] The report added: "Local police assistance is available throughout the island. Although the police receive some training from U.S. and U.K. law enforcement entities, they endure a lack of funding, resources and management." As a consequence, the report added, most wealthy residents hire private armed guard forces to deter criminals. [94a]

Also see [Recent developments](#), [Latest News](#) and [Gang violence and Operation Kingfish](#)

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GANG VIOLENCE

- 8.09 The US State Department Report on Human Rights Practices 2008 (USSD 2008), published on 25 February 2009, noted that: "Well-armed gangs that trafficked in narcotics and guns controlled many inner-city communities. The gangs often were equipped better than the police force and conducted coordinated ambushes of joint security patrols." [8a] (p1, Section 1a)

- 8.10 The Amnesty International (USA) report entitled 'Let them kill each other' Public security in Jamaica's inner cities', dated April 2008, noted:

"Surveys have shown that most Jamaicans believe that crime and violence are the country's biggest problems. ... These communities have suffered years of state neglect. The vacuum left by the state has been occupied by gang leaders who control many aspects of life. Gang leaders (known as 'dons') 'collect taxes' from local businesses (through extortion); allocate jobs (both in the legal and illegal sectors); distribute food, school books and 'scholarships'; and dispense punishment on those who transgress gang rules."

"Consecutive governments and political leaders have helped create and maintain the environment in which gang violence has flourished. Gang control is at its most pervasive in 'garrison' communities. These are communities entirely under the control of one or other of the political parties. Party control is sometimes enforced by heavily armed gangs who force people in the community to vote for the party in control." [3b]

- 8.11 The same report recorded that the police often failed to protect people living in the inner-city communities from human rights violations:

"Core gang members represent no more than 5 per cent of the population of these communities.¹³ However, the stigma of criminality or potential criminality is not confined to this minority. Entire communities are the victims of generalized prejudice in society which is reflected in the way in which they are policed. There are persistent reports of discrimination and killings by the security forces. The failure to hold to account those responsible for such violations has eroded confidence among those living in poor inner-city communities that the institutions of the state will provide justice and protect their rights.

"Caught between the criminal gangs who control their neighbourhoods and violent policing methods, people living in these communities are denied access to effective state protection and to the services which should provide for their basic economic and social rights and so enable them to enjoy a whole range of human rights.

"This report describes how the Jamaican authorities are failing to protect people living in poverty in inner-city communities from a range of human rights violations; for many in these communities the state has failed to provide for even their most basic social and economic rights. It shows how the authorities are failing to hold to account those in the security forces who commit human rights violations." [3b]

- 8.12 Further:

"The worst violence is reported during times when rival gangs within a community or in adjacent neighbourhoods are competing over territorial control, which is referred to by communities as "the war". At such times of heightened confrontation, the entire population can be held hostage, shut down by barricades and unable to leave their homes after 5pm, the time when shooting starts. Children cannot go out to play and are often prevented from attending school, either because the schools are closed or because it is too dangerous for either pupils or teachers to attend. Often children are so traumatized by the violence that even if schools are still functioning, they are sometimes just too frightened to leave home. People working outside the community have problems getting to work as public and private transport has to be suspended because of the violence. Reaching a health clinic can also be difficult, particularly if the closest one is in the 'enemy' community." [3b]

- 8.13 On 18 March 2008 the *Jamaica Gleaner* reported that the Assistant Commissioner of Police (ACP) Justin Felice, requested sight of the report in which Jamaican anthropologist Dr Herbert Gayle claimed wealthy Jamaicans are funding criminal activities. Mr Felice, who worked with no less than 12 gangs across 40 inner-city communities stated "...his work with young men involved in small gangs often reveals the names of very influential and wealthy Jamaicans who have assisted them in obtaining weapons." [34aa]
- 8.14 The Jamaica Observer reported on 18 August 2009 that residents in August Town, St Andrew were in fear of an outbreak of gang violence following the double murder in a part of their community called Bedward Gardens. "The police, who reassured the residents with a strong presence in the volatile community, said they were on top of things. 'We are following leads into the killing and we have additional police teams patrolling the area', said a police inspector." [36n]

(See also [Deportation of Foreign National Prisoners](#))

The full reports mentioned above and further information on crime can be accessed via the following weblinks:

[Amnesty International report-Gangs and police](#), dated 2 April 2008 [9e], [Amnesty International 2009 report](#), [9a] [USSD report for 2008](#), released 25 February 2009 [8a] and [Amnesty International report 'Let them kill each other' Public security in Jamaica's inner cities](#), [9f]

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INDIVIDUAL NAMED GANGS

- 8.15 **Back Road gang.** This gang was mentioned in an article published in May 2007 as being in operation in the White Lane community in Waterhouse, Kingston. (Jamaica Observer, 12 May 2007) [36av]
- 8.16 **Checkers gang.** This gang was reported to operate out of Penwood Road and Ashoka Road areas in the Waterhouse community. Two Checkers gang members, Dwayne 'Oliver' Smith and Ricard Zigga Walcot, were reportedly killed in a gunfight with police in May 2007. (Jamaica Observer, 12 May 2007) [36av]

- 8.17 **Clansman gang.** A gang reported as having PNP (People's National Party)-affiliations involved in violent confrontations in Spanish Town, St Catherine in March 2007. *The Jamaica Observer* reported these were "sparked by rising tensions within the Clansman gang" and also as a result of clashes with rival gangs for control of the city. (Jamaica Observer, 17 March 2007) [36au] **Clansman** member Tesha Miller was arrested in May 2007 for breach of bail terms - "[he] was slapped with a nine-month prison term for absconding bail. Miller was deported from the United States... and handed over to detectives attached to Operation Kingfish. He was charged in connection with a triple-murder, ...in Portmore, St. Catherine... intelligence suggest[s] that Miller was running the Clansman gang from the United States, giving various instructions." (Jamaica Observer, 17 March 2007) [36au] The BBC reported in May 2007 that "The feared gang Klansman is now, according to the police, a 'shadow of its old self', with the leader of the group having been killed in a shootout." [21d]
- 8.18 **Collin Palmer gang.** This gang operates in St James, Montego Bay, where several gang members, including the leader, were shot dead by police in January 2007 – "Among the dead were Kirk 'Joe' Thomas of St John's Hall, Collin 'Teacher' Palmer of Tucker and Stratty McLeod, also of a Tucker address." (Jamaica Observer, 18 February 2007) [36at] Incident also reported in the *Jamaica Gleaner* on 29 January 2007, reporting the fatal shooting of five members of the gang and confirming the names of the 3 men killed. (Jamaica Gleaner, 29 January 2007) [34by]
- 8.19 **Fatherless gang.** A group of young men, so-called because they have lost their fathers in gang wars in Trench Town, Kingston. (BBC News, 16 May 2007) [21d] Also reported as "a group of disenchanting youths who have lost their fathers through violence or imprisonment." (World Politics Review, 29 January 2007) [63a]
- 8.20 **Fresh Roses.** An article of February 2007 identifies the gang as operating in the St James parish of Montego Bay. (Jamaica Observer, 18 February 2007) [36at] The *Jamaica Gleaner* reported on the shooting of the gang's leader, Garfield Sawyers, by police in Niagara district, bordering St James and St Elizabeth Parishes in May 2006. (Jamaica Gleaner, 2 May 2006) [34u]
- 8.21 **G-Unit gang.** A gang mentioned in an article published May 2007 as being in operation in the White Lane community in Waterhouse. (Jamaica Observer, 12 May 2007) [36av]
- 8.22 **Hot Stepper gang.** A gang operating in St James parish, according to article published in 2007. (Jamaica Observer, 18 February 2007) [36at] Mentioned in a 2007 article as being "closely associated with racketeers...[in] a multi-million dollar international sweepstakes and lottery scam that has been blamed for a significant number of the more than 200 murders committed in St James". (Jamaica Observer, 16 February 2007) [36as]
- 8.23 **Hundred Lane gang.** An article published in October 2005 reported the gang, from the Red Hills area of St Andrews, to have PNP (People's National Party) connections, and to be in dispute with the JLP (Jamaican Labour Party)-affiliated Park Lane gang. (Jamaica Observer, 16 October 2005) [36ay]

- 8.24 **Killer Bees gang.** An article of February 2007 identified the gang as operating in the St James parish. (Jamaica Observer, 18 February 2007) [36at] Another article published May 2007 stated the Granville area of the St James parish of Montego Bay to be the gang's area of operation. (Jamaica Observer, 21 March 2007) [36aw]
- 8.25 **One Order gang.** An article in *Jamaica Observer* reported the gang as being PLP-affiliated and based in St Catherine's region. Leader Oliver 'Bubba' Smith was killed in 2004; since then, turf wars and fighting occurred in St Catherine's since 2005 over who should succeed Smith. (Jamaica Observer, 12 May 2007) [36av] The gang has been blamed for the "ongoing murder, intimidation and extortion that have [has] plagued Jamaica's former capital Spanish Town for a number of years." (Jamaica Observer, 9 April 2007) [36az] An article published February 2007 stated the gang are "[one of] the chief perpetrators in a spate of murders across St James". (Jamaica Observer, 21 May 2007) [36aw] An article published in the *Guardian* September 2007 reported that a faction of the gang's were more recent in allegiance with the PNP in an agreement to provide arms in exchange for votes. (The Guardian, 2 September 2007) [20c] *The Jamaica Star* reported on 18 September 2008, that: "Members of the Spanish Town-based 'One Order' gang are currently at odds over the collection of extortion money... It is alleged that some members of the gang collected money from the sites without the knowledge and consent of the others. This, police are claiming, has sparked a bitter dispute among the men." [35a]
- 8.26 **Rat Bat gang.** Go-Jamaica website, accessed 31 October 2008, reported that the police had detained the leader of the Spanish Town based gang. "He was taken into custody along with 52 other persons during an early morning police/military operation. ... The police said members of a joint task force raided sections of Spanish Town Road. ...They were in search of gang members, firearms, ammunition, dangerous drugs and other contraband." [12a]
- 8.27 **Renegades.** This gang is reported to be in operation in the St James Parish, Montego Bay. (Jamaica Observer, 18 February 2007) [36at]
- 8.28 **Skull and Southie gangs.** These gangs are reported by the *Jamaica Gleaner* to be in operation in the Southside and Tel-Aviv area of Kingston. It is reported that an estimated 1500 people had been killed over the past 30 years in their dispute. Violence has been fuelled by vengeance and reprisals. More recently the Jamaica Labour Party (JLP) councillor for the Rae Town division and two other women were shot as part of the gang conflict. [34z]
- 8.29 **Spanglas.** This gang is mentioned in a 2004 report as being active in West Kingston. (Corner and Area Gangs of inner-city Jamaica, published 2004) [64a] No further information could be found about this gang.
- 8.30 **Stone Crusher gang.** A gang based in the St James area of Montego Bay, involved in a multi-million dollar international sweepstakes and lottery scam blamed for many of the 200-plus murders committed in the area over the previous 14 months. *The Jamaica Observer* reported on 16 February 2007 that: "Cops... raided 13 locations in Hanover and St James, arresting more than 30 persons, six of whom are believed to be key players. ...Inspector Steven Brown told journalists... "the notorious Stone Crusher gang is closely associated with racketeers." [36as] Their involvement in turf wars was reported

in the same source in February 2007 – “There is this group called the Stone Crusher. ... They have been influencing a lot of these murders.” (Jamaica Observer, 18 February 2007) [36at] The killing of their leader, Rohan ‘Don’ Gordon by police was reported in May 2007 “as a major achievement in their fight against crime in this resort city.” The gang has been blamed for many of the 178 murders committed in St James in 2006 and have been named – “as [one of] the chief perpetrators in a spate of murders across St James, said to `be responsible for a trail of double and triple murders, including the killings of entire families in Norwood.” The police established an arm of Operation Kingfish in St James in December 2006 in response. (Jamaica Observer, 21 May 2007) [36aw] Gordon’s killing is also reported in the *Jamaica Gleaner*, claiming him to have “topped the St. James police most- wanted list,” and the Stone Crusher gang to be “responsible for a wave of heinous murders which has swept the tourism capital Montego Bay and satellite communities over the past two years.” (Jamaica Gleaner, 21 May 2007) [34bx] Stone Crusher member Kavian Chin was shot dead by police on 11 February 2007 (Jamaica Gleaner, 11 February 2007) [34bu] Stone Crusher member Rohan Stennett from Norwood was killed in June 2007 in a shoot-out with police in St Mary. (Jamaica Observer, 4 June 2007) [36ax]

- 8.31 **Tight Pants gang.** An article in the *Jamaica Observer* in May 2007 reported this gang as operating in the Albion and Gully areas of Montego bay “... as [one of] the chief perpetrators in a spate of murders across St James.” [36aw] A source from February 2007 also identifies the gang as operating in the St James parish. (Jamaica Observer, 18 February 2007) [36at]

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9. SECURITY FORCES

- 9.01 The US State Department Report on Human Rights Practices 2008 (USSD 2008), published on 25 February 2009, noted that: "The Jamaica Constabulary Force (JCF) has primary responsibility for internal security and is assisted by the Island Special Constabulary Force... The Ministry of National Security oversees the JCF [Jamaica Constabulary Force] and the JDF [Jamaica Defence Force]." [8a] (Section 1d, p3) "The army is regularly called in to assist the police in the maintenance of law and order, especially in urban areas, although Defence Force personnel do not have powers of arrest and search." (Jane's Sentinel Country Risk Assessments, 22 October 2008) [87d]
- 9.02 Jane's Sentinel Country Risk Assessments – Jamaica (Security and Foreign Forces), dated 22 October 2008, reported that:
- "Although the Jamaica Constabulary includes some determined and competent officers, it is facing a dangerous and rising crime situation with limited resources of skills and equipment, and with training and management systems in need of reform. While reforms in some areas have been initiated, and serious problems have been acknowledged, there is widespread public concern over police effectiveness and also over human rights issues. ...
- "Killings of civilians by police are a serious concern. Some, but not all, appear to be extra-judicial executions. There were 1,487 police killings in 1999-2007, with the annual total rising from 65 in 1999 to 272 in 2007. The government has proposed legislation to provide for faster and more effective coroners' investigations ..." [87d]
- 9.03 Amnesty International's 2009 Annual Report noted that during 2008 the "... rate of police killings fell but remained high with 222 people allegedly killed by police. Many occurred in circumstances suggesting that they were unlawful, despite frequent police claims that they were a result of shoot-outs with criminal gangs. Government efforts to address police impunity and lack of accountability included parliamentary discussions on a draft bill to create an independent commission to investigate abuses by the security forces. These were still ongoing at the end of the year." [9a]
- 9.04 In addition to the draft bill mentioned by Amnesty International, Jane's reported that the government has taken other actions in an attempt to reduce the numbers being killed by police, these have included: "Revised police rules on firearms and the use of force were published in March 2008. ... In a very small number of cases, manslaughter and other charges have been brought against police officers, but with a low conviction rate. None have been convicted of murder, in part because of trial delays of up to six years. ..." [87d]
- 9.05 Jane's reported that action could be taken against the police by private individuals through the Police Complaints Authority, although the body was considered to "... take a somewhat nonchalant attitude towards human rights abuses ..." In addition, "A civilian Oversight Authority was established by law in October 2005 to monitor overall policy and performance, with the power to initiate specific investigations." [87d]

- 9.06 Furthermore, Jane's also noted that: "Attempts to reduce corruption have so far had some limited success, although efforts appear to have been increased. More than 50 police officers were charged with corruption offences in January-July 2008, of whom the most senior, Superintendent Harry Daley, was arrested on 31 July. The Anti-Corruption branch is headed by a UK officer, Justin Felice. ..." [87d]

The full reports can be accessed the following Amnesty International weblink: [Amnesty International 2009 report](#) [9a] Additional information regarding the police and the security force can also be accessed via the following USSD weblink: [USSD report for 2008](#) [8a]

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POLICE

The Jamaica Constabulary Force (JCF)

- 9.07 The Jamaica Information Service reported on its undated website that: "The mission of the Jamaica Constabulary Force (JCF) and its auxiliaries is to serve, protect and reassure the people of Jamaica with courtesy, integrity and proper respect for all. This is done through the delivery of impartial and professional services, aimed at the maintenance of law and order, protection of life and property, prevention and detection of crime, and preservation of peace." [24ac]

- 9.08 "Jamaica Police Academy administers the recruitment and training of entrants to the Force. A wing of the academy caters to the Island Special Constabulary and District Constabulary Forces. A Commandant at the level of Superintendent of Police heads the academy. ... Policing and crime fighting operations are carried out by special units which include:

- Homicide Squad
- Fingerprint Bureau
- Criminal Intelligence Division
- Organised Crime Unit and Vice Unit
- Fraud Squad
- Flying Squad
- Fatal Shooting Unit
- Five Area Crime Officers
- National Firearm and Drug Intelligence Branch
- Stolen Motor Vehicle Investigation Unit
- Photographic Unit
- Crime Statistics Unit." [24ac]

The full report can be accessed via the following weblinks: [Jamaica Information Service](#), [24ac] and the [USSD report for 2008](#), released 25 February 2009 [8a],

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Witness Protection Programme

- 9.09 The Ministry of National Security on its undated website stated that the Witness programme and the unit is a covert operation managed by the Ministry. “Its main objective is to enlist legitimate witnesses of major crimes whose safety and security is at risk. The programme seeks to offer protection for these witnesses and provide support for the functioning of the wider criminal justice system.” [52a]
- 9.10 The Jamaica Information Service (JIS) on its website dated 1 July 2005 stated:
- “The country's Witness Protection Programme is a solid and effective one, where those who opt to go into the programme are assured of a standard of living similar to or in some instances better than that which they enjoyed prior to entering the programme.
- “Assistant Commissioner of Police in charge of the Criminal Investigation Bureau (CIB), George Williams tells JIS News that the programme is a credible one that is strongly recommended for persons who are witnesses in major cases and have come forward to give evidence on behalf of the State.
- “ ‘Whenever somebody says that he or she has witnessed a crime and volunteer to give that kind of evidence, the Police who come in contact with that witness first, will introduce the witness protection programme. We tell the witness about it and how the programme can help’, Mr. Williams explains.” [24af]
- 9.11 On 6 June 2008 the *Jamaica Observer* reported on the arrangements being made to establish a Justice Support Unit, which would give support to witnesses as part of a wider effort to improve the island's Witness Protection Programme. [36l]
- 9.12 The Jamaica Constabulary Force (JCF) boosted its Witness Support Unit with the addition of a superintendent. The Jamaica Information Service stated on 4 February 2007, that the “... superintendent will be a designated Witness Management Officer, who will work closely with the Ministry's Witness Protection Programme.” [24o]
- 9.13 The Jamaica Information Services reported on 24 July 2008 that: “Director of Public Prosecutions (DPP), ... is calling on the authorities to adopt video link technology as a primary means of improving the witness protection programme and making witnesses more available for criminal matters.” [24n]
- Further information about the police can be accessed via the following US State Department weblink: [USSD report for 2008](#), released 25 February 2009 [8a]

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Crime-fighting initiatives

- 9.14 The Jamaica Information Service reported on 25 October 2008, that the Minister of State with responsibility for local government reform stated that a

new Abduction Alert System would be launched in November 2008. A call desk would be established at each parish council office, when a call, fax or email is received, a network which includes Councillors, PDC (Parish Development Committee) Chairmen, the zonal committee persons, the post offices and libraries, Parent Teachers Associations, and Consultative Committees will be activated. Information will also be posted at supermarkets, bus terminals, and at other major points in communities. Directional signs at major intersections would be redesigned to include information. [24p]

- 9.15 New technical aids have been identified as key in the fight against crime, while addressing the State of the Nation debate held on 25 July 2008, Senator Arthur Williams stated: "...the Vehicle Digital Video Recorder, which is a small unit mounted on the dashboard of a police vehicle and which records several hours of footage, will be useful for public order and public control and could, very often, be the independent evidence in the usually conflicting police and civilian versions of how events take place. The Senator also mentioned the relatively new pistol camera, which is a small digital video camera which is attached to any pistol and can tape up to 60 minutes of footage..." (Jamaica Information Service) [24a]
- 9.16 The Prime Minister outlined to parliament on 22 July 2008, several legislative changes designed to assist in the fight against crime. The Jamaica Information Service reported on 25 July 2008 that the seven initiatives included:
- An extension of the period of detention from 24 hours to 72 hours.
 - Withholding of bail for up to 60 day in serious cases (such as, murder, firearms offences, sexual, drug trafficking offences and intimidation of witnesses.
 - On conviction of serious gun crimes, a person shall only be eligible for parole after serving ten years.
 - An amendment to the qualified majority verdict in non-capital murder convictions, to provide for the conviction of an accused where an agreement is reached among no less than 9 out of a 12 member jury.
 - Provisions will be made for the Commissioner of Police or the Chief of Staff of the Defence Force or any officer designated by them, to apply to a Judge in Chambers for the release of information held by different state agencies.
 - Taking of non-invasive DNA samples and the establishment of a DNA database;
 - An amendment of the Evidence Act to make provision for giving of evidence and cross-examination in remote locations as well as for the use of video-taped witness statements in Court trials." [24av]

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Operation Kingfish

- 9.17 Operation Kingfish was launched on 19 October 2004 as a counter narcotics and major crimes investigation task force. Operation Kingfish is a joint programme including members of the Jamaica Constabulary Force (JCF), the Jamaica Defence Force (JDF) and law enforcement agencies in the United Kingdom and the United States of America. The Jamaica Constabulary Forces' website, accessed 19 November 2008, stated: "The broad objective of

Operation Kingfish is the dismantling of organised criminal groups, their leaders and their associates who are destroying communities with drugs, guns and extortion.” (Jamaica Constabulary Force) [13a]

- 9.18 The Minister of National Security, Derrick Smith, praised the work of the Counter Narcotics and Major Crimes Task Force (Operation Kingfish) at a press briefing (held 19 October 2007), the Jamaica Information Service reported:

"Kingfish has been one of the most successful and celebrated national security projects ever introduced in this country...Since its inception, Operation Kingfish has received more than 2000 actionable calls and has mounted more than 2000 operations leading to the recovery of nearly 300 firearms and in excess of 21,000 rounds of assorted ammunition, 567 arrests, and the seizure of thousands of pounds of drugs including cocaine, ganja and hash oil.

"In addition, some 100 wanted persons have been apprehended, five illegal airstrips disabled and more than 80 illegal aliens detained. For the period January to September, Operation Kingfish carried out 607 operations and firearms, drugs and ammunition were seized.

"Mr. Smith also commended the task force on its highly successful prosecution rate, noted that the organisation has not lost a single case in court." [24a]

(Also see [Gang violence](#), [Prosecution of state officials accused of ill-treatment and Crawle \(Kraal\) trial](#))

Further information about the use of excessive force by the police, arbitrary arrest and detention, impunity, security forces and extra-judicial killings can be accessed via the following weblinks: [USSD report for 2008](#) [8a] and [Amnesty International 2009 report](#) [9a]

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10. MILITARY SERVICE

- 10.01 The Coalition to Stop Child Soldiers, Child Soldiers Global Report 2008, released April 2008, observed that there was no conscription in Jamaica. The report also stated:

“According to Jamaica’s declaration on ratification of the Optional Protocol, all service in the Jamaica Defence Force (JDF) was voluntary. Recruits of 17 years and 6 months could enlist in the JDF, but those under 18 required written parental consent, and they could not graduate from training institutions until the age of 18. Recruits over 18 served in the regular force or in the regular and reserve forces under service contracts for periods of up to 12 years. Under-18s could serve a longer term, as their 12-year service began only when they reached the age of 18. Contracts could be further renewed.² Candidates for the reserve had to be over 18.”

“A new Military Education Policy was being developed to improve education and performance standards in the armed forces. Around 560 boys and girls in secondary-schools throughout Jamaica were members of the Jamaica Combined Cadet Force, which was affiliated to but not formally part of the armed forces. Members received basic military training aimed at stimulating interest in a military career and at showing how defence forces functioned.” [84a]

ARMED FORCES

- 10.02 Jane’s Sentinel Country Risk Assessments – Jamaica (Armed Forces), dated 30 June 2009, reported that:

“The Jamaica Regiment (comprising two regular Infantry Battalions and one reserve unit), the Jamaican Defence Forces Air Wing and Jamaican Defence Forces Coast Guard are all responsible for the defence of Jamaica. The Infantry and National Reserve is the main wing of the Jamaican Defence Forces (JDF) and supports the police in maintaining law and order and assisting with infrastructure projects and emergency relief.”

“The Jamaican Armed Forces are governed by the constitution of Jamaica and by the Defence Act of 1962. Commissions are granted by the governor general, who is the constitutional representative of the Queen as head of state. The Prime Minister is titular Minister of Defence with formal powers of command under the Defence Act. However, there is no substantive defence ministry, and matters of budget and administration are handled by the Ministry of National Security. Promotions and establishment are agreed by the Defence Board, which is made up of the Prime Minister as Minister of Defence, the Minister of National Security, the Chief of Staff, and the permanent secretary in the Ministry of National Security.” [87e]

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11. JUDICIARY

ORGANISATION

- 11.01 Jane's Sentinel Country Risk Assessments – Jamaica (Internal Affairs), dated 22 October 2008, reported that:

"The legal system in Jamaica is based on English common law. The independent judicial branch administers justice through the Supreme Court, Court of Appeal, Resident Magistrates' Court, Revenue Court, Family Court and Traffic Court. Observers including the US Department of State have noted that the judiciary is seriously under-funded. Partly because of the lack of resources, delays in civil trials currently average three years and may be much longer. There are also long delays in criminal trials, with the accused held in prison in some cases for several years while awaiting trial or an appeal court hearing. A system Justice Reform Task Force began work with Canadian professional and financial assistance in September 2006, and reported in 2007. The incoming JLP government in September 2007 proposed a ten-year justice reform programme, with increased use of new technology and improved case management to speed up the work of the courts, a law reform exercise, a more transparent process for the appointment of judges, and constitutional protection for magistrates. Community Justice Tribunals would be established to resolve disputes between citizens which do not involve criminal offences.

"Weaknesses of the court system include a shortage of magistrates and judges, poor accounting practices and weak enforcement of bail bonds. An energetic and reformist chief justice, Zalia McCalla, was appointed in May 2007." [87c]

- 11.02 Amnesty International 2009 Annual report observed:

"Some progress was made in implementing recommendations from a June 2007 report by the Justice System Reform Task Force, including appointment of additional court staff, but the majority remained to be implemented. At the end of the year, legislation to create a special coroner's office to expedite investigations into new cases of fatal police shootings and address the backlog of cases was still in discussion as was a bill to establish a special prosecutor to investigate corruption by state officials. In September, Parliament passed bills to increase the number of judges in the Supreme Court and Appeal Court. Despite these moves, national human rights organizations pointed to continued chronic problems with the judiciary, including severe delays in cases being heard, unavailability of jurors, witness absenteeism and sporadic court scheduling." [9a]

Additional information can be accessed via the US Department weblink as follows: [USSD report for 2008](#) [8a]

Caribbean Court of Justice

- 11.03 Jane's Sentinel Country Risk Assessments – Jamaica (Internal Affairs), dated 22 October 2008, reported that:

“Final appeal currently rests with the Privy Council of the United Kingdom. Jamaica was one of 10 signatories to an agreement in February 2001 to replace this path of appeal with a new Caribbean Court of Justice (CCJ). Legislation passed in 2004 by the PNP government to give effect to this decision was challenged in the Privy Council by the JLP, the Bar Association and other groups. A ruling in February 2005 upheld the challenge, on the basis that the CCJ had not been entrenched into the constitution through a referendum, and was therefore not sufficiently protected against political interference. The JLP opposed adherence to the CCJ in opposition, and is unlikely to change its mind in government. It is not clear whether Jamaica will use the CCJ in its other function, as a trade court for the Caribbean Community.” [87c]

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Independence and fair trial

- 11.04 The US State Department Report on Human Rights Practices 2008 (USSD 2008), published on 25 February 2009, noted that: “The law provides for an independent judiciary, and the government generally respected this provision in practice. However, the judicial system was overburdened and operated with inadequate resources.” [8a] (p4, Section 1e) The same report further noted:

“Most trials are public and use juries. Defendants are presumed innocent, have the right to counsel, and have the right to confront witnesses against them. ... The public defender may bring cases for persons who have had their constitutional rights violated. Although the Public Defender’s Office contracted private attorneys to represent clients, funds were insufficient to meet the demand, and such attorneys sometimes requested payment from clients.” [8a] (p4, Section 1e)

Additional information can be accessed via the US Department weblink as follows: [USSD report for 2008](#) [8a]

Legal Aid

- 11.05 The USSD report for 2008 noted that: “Legal Aid attorneys were available to defend the indigent, except those charged with certain offenses under the Money Laundering Act or Dangerous Drugs Act.” [8a] (p4, Section 1e)
- 11.06 The Legal Aid Council is the body established by the Legal Aid Act, to administer and supervise legal aid across the island of Jamaica. (Ministry of Justice, accessed 29 September 2008) [7a] (Brief Overview). Since the start of the financial year, the Legal Aid Council has made payments to Attorneys for work done totalling \$27,121,500.00 JMD. (Ministry of Justice, accessed 29 September 2008) [7b]

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12. ARREST AND DETENTION – LEGAL RIGHTS

12.01 The US State Department Report on Human Rights Practices 2008 (USSD 2008), published on 25 February 2009, noted that: Under Chapter 3, section 15 of the Jamaica Constitution 1962, the Constitution provides for the fundamental right to protection from arbitrary arrest and detention. [2a] (Section 15)

12.02 The USSD report for 2008 noted that:

“The law permits the arrest of persons ‘reasonably suspected’ of having committed a crime. ... Although the law requires police to present a detainee in court within a reasonable time period, in practice authorities continued to detain suspects for lengthy periods (often up to two or three years), which the government attributed to an overburdened court system. Magistrates were required to inquire at least once a week into the welfare of each person listed by the JCF as detained, but few do so in practice.” [8a] (p3, Section 1d)

Also see [Security forces](#) and [arbitrary arrests and detention](#)

Additional information can be accessed via the following US Department weblink: [USSD report for 2008](#) [8a]

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13. PRISON CONDITIONS

- 13.01 Jane's Sentinel Country Risk Assessments – Jamaica (Security and Foreign Forces), dated 22 October 2008, reported that Jamaica currently has 11 prisons across the island, although there are plans to replace nine of these with a new super prison with improved facilities. Jane's also noted that: "Prisons with a total design capacity of 2,700 held 3,948 inmates in 2005. Most of the excess is in Tower Street in Kingston, designed for 650, which holds 1,642, and St Catherine prison, designed for 650, which holds 1,642. The average annual cost per prisoner was JMD591,000." [87d]
- 13.02 The US State Department Travel Information for Jamaica last updated 13 October 2009, noted that: "Prison conditions in Jamaica differ greatly from prison conditions in the United States. Prisoners are provided only the most basic meals and must rely upon personal funds, family and friends to supplement their diets, provide clothing, and supply personal care items such as toothpaste and shampoo. Packages shipped from the United States to prisoners are subject to Jamaican import taxes and are undeliverable when the recipient lacks the funds to pay the duties." [8b]
- 13.03 In a report dated August 2009, the Prison Fellowship International (PFI) reported that: "PF Jamaica and the Board of Visitors have partnered to bring more hygienic conditions to the largest prison in Jamaica. Earlier this week, the Tower Street Adult Correctional Centre (General Penitentiary) received twenty toilets ..." The report added that the organisation proposes to assist further and also to install a water tank and pump to ensure inmates will have continual access to fresh water. [38a]
- 13.04 Referring to torture and other cruel, inhuman, or degrading treatment or punishment, the United States Department (USSD report for 2008) 2008 Human Rights Report for Jamaica released 25 February 2009 stated: "Although the law prohibits such practices, reports of physical abuse of prisoners by guards continued, despite efforts by the government to remove abusive guards and improve procedures." [8a] (p3, Section 1c)

(See also [Mental health](#), [Security forces](#) and [Violence against gay men](#))

Further information on prison can be accessed via the following USSD weblink: [USSD report for 2008](#), released 25 February 2009 [8a]

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14. DEATH PENALTY

- 14.01 As a result of Jamaica's continuing high murder rate, the Jamaican parliament voted on 25 November 2008 to retain the death penalty. The *International Herald Tribune*, reported on 25 November 2008, that: "Capital punishment has long been on the books in the Caribbean country but recent governments have been reluctant to issues death warrants and the last execution was in 1988." [85a]
- 14.02 Amnesty International 2009 Annual Report stated: "At least one new death sentence was handed down, but no executions were carried out. There were nine people on death row at the end of the year. At the end of the year the Jamaican Parliament voted to retain the death penalty. In December [2008], Jamaica voted against a UN General Assembly resolution calling for a worldwide moratorium on executions." [9a] (p2, **Death Penalty**)
- 14.03 A UN report of the Secretary General on 'the promotion and protection of all human rights ... question of the death penalty' dated 18 August 2009 noted that Jamaica was one of the countries observing a moratorium on executions. The report stated: "In Jamaica, which has maintained a moratorium since 1988, the Parliament voted to maintain the death penalty in November 2008 in the context of discussions around a new Charter of Rights and Freedoms Bill. No subsequent executions have been reported." [88a]

(Also see [Caribbean Court of Justice](#), [Judiciary](#) and [Human Rights](#))

Additional information can be accessed via the following weblink:
[USSD report for 2008](#) [8a] and [Hands off Cain](#) [17a]

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15. POLITICAL AFFILIATION

- 15.01 The Fund For Peace's 'Jamaica 2008 Country Profile' noted that the Jamaican government promoted its citizens right to free political affiliation, and the "... 2007 elections were praised by the international community as Jamaica's least violent campaign period, with only two shootings ..." [D1]
- 15.02 The US State Department Report on Human Rights Practices 2008 (USSD 2008), published on 25 February 2009, noted that the right to free political affiliation has been substantially reduced in some areas, especially for Jamaicans living in so called "garrison communities". Individuals in these "... inner-city areas, [which are] dominated by one of the two major political parties, often faced substantial influence and pressure from politically connected gangs ..." to vote in a particular way. [8a] (p5, Section 3)

(See also Annex B: [Political Organisations](#), [Political violence and the election campaign](#) and [Garrison communities](#))

FREEDOM OF POLITICAL EXPRESSION

- 15.03 Chapter three of the Jamaica Constitution 1962 provides for freedom of expression and freedom of political opinion. [2a] The law provides citizens with the right to change their government peacefully, and citizens exercised this right in practice through periodic elections held on the basis of universal suffrage. (The USSD country Report 2008) [8a] (p6, Section 3)
- 15.04 The *Jamaica Gleaner* in a report dated 9 July 2007, entitled: 'The woman's right to vote in Jamaica', noted: "In Jamaica, every person who is qualified to be registered as an elector, and is so registered, has the right to participate in free and fair elections based on the Constitution and the Fundamental Rights (Additional Provisions) (Interim) Act 1999." [34j]

FREEDOM OF ASSOCIATION AND ASSEMBLY

- 15.05 The USSD report for 2008 noted that: "The law provides for freedom of assembly and association, and the government generally respected this right in practice." [8a] (p5, Section 2b) The Freedom House, Freedom in the World 2009 report for Jamaica stated that: "Freedoms of association and assembly are generally respected. Jamaica has a robust civil society, though the most influential nongovernmental actors tend to emanate from business interests. Labor unions are politically influential and have the right to strike. The Industrial Disputes Tribunal mediates labor conflicts." [32c]

Additional information can be accessed via the following weblink:
[USSD report for 2008](#) [8a]

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16. FREEDOM OF SPEECH AND MEDIA

- 16.01 The Freedom House 2008 Freedom of the Press Report, covering events in 2007, released 29 April 2008, noted:

“Jamaica continued to uphold its free media environment in 2007, and in a positive step, the new prime minister created a committee to review restrictive press laws. Although the constitution protects freedom of expression, media rights activists continue to argue that existing criminal libel and defamation laws hinder freedom of expression. In particular, it is believed that media owners discourage investigative reporting of certain subjects because of their fear of libel suits... Bruce Golding, who took office as prime minister in September... appointed a committee, including members of both the PAJ and the Media Association of Jamaica (MAJ), to make recommendations for legislative changes, with the expectation of submitting a report in February 2008. In the run-up to the September [2007] general elections, journalists were frequently harangued as the two main political parties stepped up their campaigning. Both the PAJ, representing media workers, and the MAJ, representing owners, expressed concerns over ‘inflammatory’ statements by the leadership of both parties. There were no reports of physical attacks on the press during the year, although some members of the media do face pressure from gangs and other criminal groups ...” [32b]

- 16.02 The same report noted further that:

“Jamaica has active, independent media that are mostly free to express opinions on a diversity of issues as well as criticism of the government. The country has two national daily newspapers and a daily afternoon tabloid. There are a number of national and regional periodicals serving a variety of sectors and interests. The state broadcasting service was largely privatized in 1997, although the Kool FM radio station is still government owned. In March 2006, the Public Broadcasting Corporation of Jamaica—funded by state and private-sector contributions—was launched as a radio and television service to replace the state-run Jamaica Broadcasting Corporation. The authorities imposed no restrictions on the internet, which was used by close to 40 percent of the population in 2007 ...” [32b]

- 16.03 The United Nations Educational, Scientific and Cultural Organisation (UNESCO) reported on 7 May 2009 that the organisation’s Kingston Office celebrated World Press Freedom Day 2009 by a public forum on 4 May 2009. The following topics were on the agenda for discussion:

- “Media dialogue and governance.
- Media dialogue and mutual understanding in society.
- Public service broadcasting and social.
- Training standards and ethics.” [53a]

- 16.04 The Caribbean News reported on 27 February 2008 that: “[The] President of the Press Association of Jamaica (PAJ), Desmond Richards has welcomed the government’s decision to review the country’s libel laws, to give the Press more power to uncover public abuse and the mishandling of power. “ ‘This is long overdue. The reform of the libel laws will allow the press to do its job

more effectively and will empower journalists to protect the public interest', the PAJ President said." [95a]

Additional information can be accessed via the following weblink:

[USSD report for 2008](#) [8a], [Freedom of the Press, 2008](#), [32b]

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17. HUMAN RIGHTS INSTITUTIONS, ORGANISATIONS AND ACTIVISTS

- 17.01 The US State Department Report on Human Rights Practices 2008 (USSD 2008), published on 25 February 2009, noted that: "A number of domestic and international human rights groups and other international bodies generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials often were cooperative and responsive to their views." [8a] (Section 4)
- 17.02 The USSD 2008 noted that: "The Independent Jamaica Council for Human Rights was the country's only formal organization concerned with all aspects of human rights." [8a] (Section 4) Jane's Sentinel Country Risk Assessments – Jamaica (Internal Affairs), dated 22 October 2008, reported that: The Jamaica Council for Human Rights has re-opened with a grant from the EU, having being closed in August 1997 because of a lack of funds. Other influential pressure groups which emphasise civil and political rights include Jamaicans for Justice, Citizens for a Civil Society, and the Campaign for Free and Fair Elections. [87c]

(See also [Women's rights groups](#))

Additional information can be accessed via the following weblink:

[USSD report for 2008](#) [8a] [JIS – Coalition for Jamaica](#) and [Directory of Development Organisations](#)

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18. CORRUPTION

- 18.01 Jane's Sentinel Country Risk Assessments – Jamaica (Security), dated 22 October 2008, reported that:

“There is a widespread perception of both petty and large-scale corruption, which developed over an extended period, continued under the PNP government which was in office for 18 years to September 2007, and remains present. The US Department of State noted in March 2007 that corruption is a ‘cancerous force in Jamaica’, with a danger that the country will become a ‘full-fledged kleptocracy’.

“The secretary of the Commission for the Prevention of Corruption, David Grey, said in March 2008 that only 60 per cent of the 13,850 public servants required to submit statutory declarations of assets had done so. The commission had in 2006 referred 115 public servants to the office of the director of public prosecutions for their failure to file declarations.” [87b]

- 18.02 On 25 September 2008 the *Jamaica Observer* reported that Jamaica had slipped 12 places on the corruption index, the Observer reported: “Jamaica has been ranked 96th most corrupt country in the world ...down from an 84th ranking last year.” The article outlined that: “Countries on the CPI are scored on a scale of 0 -10 with 0 being most corrupt ...ranked countries according to the degree to which politicians and public officials are perceived to be corrupt by business leaders and country analysts.” [36i] In 2008 Jamaica's CPI score was recorded as 3.1. (Transparency International, 2008 Corruption Perception Index) [28a]

- 18.03 The Freedom House, Freedom in the World 2009 report for Jamaica stated:

“Corruption remains a considerable problem. The Access to Information Act of 2002 was fully implemented in 2006, but most of the state's 264 agencies were not ready to comply. Government whistleblowers who object to official acts of waste, fraud, or abuse of power are not well protected by Jamaican law, as is required under the Inter-American Convention against Corruption. In 2008, the mayor of Kingston reported that he had been receiving death threats tied to his anticorruption efforts.” [32c]

- 18.04 A number of recent news reports noted that the government has made efforts to combat corruption, particularly regarding corruption within the security forces. The Jamaica Information Service reported on 16 July 2008 that Prime Minister Bruce Golding pledged that an Independent Investigative Authority would be created and that it would be fully resourced to ensure that it is capable of investigating the “... abuse of citizens' rights by members of the security forces ...” Mr. Golding said that the Authority would “... ensure that the investigation of alleged abuses...” would be independent and that they would be completed quickly with those found responsible held to account. [24c] (Jamaica Information Service, 24 April 2008) [24at]

- 18.05 Amendments were made to the domestic laws to combat corruption. The Jamaica Information Service reported on 25 September 2008 that: “With Cabinet's approval, plans were made to amend the domestic laws to allow Jamaica to comply with the United Nations Convention Against Corruption.

...the amendment of the laws will be aimed at the prevention and investigation of corruption; the criminalisation of corruption; international cooperation, and asset recovery.” [24b]

- 18.06 A recent report on the narcotics trade linked a number of police personnel and customs officials to the trade. The *Jamaica Gleaner* reported on 25 September 2008 that: “Head of the Narcotics Police Division ...said the [police] personnel were playing an integral part in the drugs trade. ...on many occasions police have tipped off drug smugglers ... ‘a number of these police personnel are under our microscope’.” The source went on to note that:

“The Jamaica Constabulary Force’s Anti-Corruption Unit had arrested more than 50 police personnel since January [2008]. The majority were arrested for collecting bribes from motorists ...” The Anti-Corruption Unit made a number of “Narcotic seizures between January and August included 19,080 kilograms of ganja, 39 motor vehicles, two boats and one shipping container.” (*Jamaica Gleaner* 25 September 2008) [34w]

- 18.07 The *Jamaica Observer* reported on 26 September 2009 that corruption charges had been levied against an MP, Joseph Hibbert, for breaching government regulations and Ministry of Transport and Works staff orders when he accepted payments from the bridge-building firm Mabey and Johnson. Mr Hibbert is currently on trial for these corruption charges. [36m]

(See also [Operation Kingfish](#); and [Gang violence](#))

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19. LESBIAN, GAY, BISEXUAL AND TRANSGENDER (LGBT) PERSONS

OVERVIEW

- 19.01 Traditional societal attitudes about homosexuality remained entrenched with homophobia continuing to be a significant problem in Jamaica. Lesbians and gay men remained a marginalised group and were often the target of harassment and violence. (Freedom House, Freedom in the World 2009 – Jamaica) [32c] (p4) Gareth Thomas, a Minister at the Department of International Development, was reported by Pink News on 9 November 2008 as stating that "... the treatment of lesbian and gay people in Jamaica is a disgrace ... The Church condemns them as sinful and the Prime Minister is unashamed to say he would not have a gay person in his Cabinet. The wildly-popular dancehall culture is viciously homophobic, with many lyrics calling for lesbians and gays to be burned, beaten and shot." [43a]
- 19.02 The US State Department Report on Human Rights Practices 2008 (USSD 2008), published on 25 February 2009, noted that the suspicion of homosexuality was often enough to trigger violence. [8a] (p1, introduction) "Despite the easygoing image propagated by tourist boards, gays and their advocates agree that Jamaica is by far the most hostile island towards homosexuals in the already conservative Caribbean. They say gays, especially those in poor communities, suffer frequent abuse. ... homophobia is pervasive across the sun-soaked island, from the pulpit to the floor of the Parliament." (365 Gay, 20 July 2009) [77b] A recent opinion poll carried out by the *Jamaica Gleaner* found that 70 per cent of Jamaicans did not believe that gays and lesbians should have any civil rights. (365Gay website 20 June 2008) [77a] Newsweek International reported in September 2007 that 98 gay men and lesbians were targeted between February and July 2007 in 43 separate mob attacks. The article stated that: "Four lesbians were raped, four gay men murdered, and the houses of two gay men were burned down." [65a] The USSD 2008 noted that the murder of gay men continued during the year. [8a] (p1, introduction)
- 19.03 Freedom House's report 'Freedom in the World 2009 – Jamaica', observed that the anti-gay lyrics of some Jamaican entertainers, in particular reggae singers, remained a source of contention. [32a] (p4) The Immigration and Refugee Board of Canada has found that: "[T]he homophobia which suffuses the music, religion, society and government has combined into a peculiar nationalism ... For people that believe this, gay-bashing has become a kind of patriotism, an act in defence of the nation, and an integral part of the Jamaican identity." (Responses to Information Requests, Immigration and Refugee Board of Canada, February 22, 2007) [33a]
- Additional information on anti-gay lyrics can be accessed via the following weblink: [Amnesty International - Action against homophobia in Jamaica](#), [3e]
- 19.04 Amnesty International's (AI) 2009 Human Rights report stated that it was difficult to gauge the true extent of violence against lesbians and gay men because levels of violence and prejudice in the country ensured that the subject remains taboo: lesbians and gay men "... do not report attacks for fear of exposure." [3c] In addition, the police were often responsible for participating in violence against gay men and lesbians. (Jane's Sentinel Country Risk Assessments, 22 October 2008) [87d]

- 19.05 The *Jamaica Gleaner* reported on 11 March 2009 that a survey had revealed that gay men were not using health care facilities because of stigma attached to gays. "As debate stirs over the Jamaican Government's insistence on retaining legislation against buggery, homosexual men continue to suffer from discriminatory acts which make it difficult for them to seek health care in the country, a study has indicated.

"A 2008 survey commissioned by the Ministry of Health showed 31.8 per cent of gay men in Jamaica are living with HIV. Another 8.5 per cent were found with chlamidia, 2.5 per cent had gonorrhoea and 5.5 per cent had syphilis.

"According to a release from the Caribbean HIV & AIDS Alliance (CHAA), the high number of sexually transmitted infections among gay men, sometimes termed men who have sex with men (or MSM), is linked to the way they are treated by the law and members of the general population, including those in the health sector." [34q]

Also see [medical](#)

- 19.06 The Jamaica Forum for Lesbians, All-Sexuals and Gays (J-FLAG) is Jamaica's only human rights organisation working to eliminate discrimination against gay and lesbian Jamaicans. [9h] (Amnesty International, " 'Battyboys affi dead:' Action against homophobia in Jamaica", accessed 12 October 2009

Additional and more detailed information can be accessed via the following weblinks: [USSD report for 2008](#), released 25 February 2009 [8a], [Amnesty International 2009 report](#), [9a] [Freedom house 2009 country report](#) [32c] and [Human Rights Watch - Condemn homophobic remarks](#)

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LEGAL RIGHTS

- 19.07 The Jamaica Forum for Lesbians, All-Sexual and Gays (J-Flag) website, accessed 12 October 2009, noted that: "The Offences Against Persons Act prohibits 'acts of gross indecency' between men, in public or in private. (This is a very general term which can be interpreted to mean any kind of physical intimacy)." The Act goes on to state:

- Article 76 (Unnatural Crime); 'Whosoever shall be convicted of the abominable crime of buggery [anal intercourse] committed either with mankind or with any animal, shall be liable to be imprisoned and kept to hard labour for a term not exceeding ten years.'
- Article 77 (Attempt); 'Whosoever shall attempt to commit the said abominable crime, or shall be guilty of any assault with intent to commit the same, or of any indecent assault upon any male person, shall be guilty of a misdemeanour, and being convicted thereof shall be liable to be imprisoned for a term not exceeding seven years, with or without hard labour.'

- Article 78 (Proof of Carnal Knowledge); ‘Whenever upon the trial of any offence punishable under this Act, it may be necessary to prove carnal knowledge, it shall not be necessary to prove the actual emission of seed in order to constitute a carnal knowledge, but the carnal knowledge shall be deemed complete upon proof of penetration only.’
- Article 79 (Outrages on Decency); ‘Any male person who, in public or private, commits, or is a party to the commission of, or procures or attempts to procure the commission by any male person of, any act of gross indecency with another male person, shall be guilty of a misdemeanour, and being convicted thereof shall be liable at the discretion of the court to be imprisoned for a term not exceeding 2 years, with or without hard labour.’ [26c]

19.08 Commenting further on the legal position of lesbians and gays in the country, J-Flag (accessed 8 October 2009) noted that:

“Contrary to popular belief, it is not actually illegal to be homosexual in Jamaica. Being a homosexual does not contravene any of the existing laws; however, the law makes certain ‘homosexual acts’ illegal, and these laws are used to persecute gay men. The laws state that ‘acts of gross indecency’ and buggery [anal sex] are illegal. Although buggery refers to anal sex between a man and another man, a woman or an animal, in practice the law is predominately enforced against two men. Lesbians are also discriminated against in the wider society, however no laws target lesbians or lesbian conduct.” [26a]

19.09 While J-Flag pointed out (website accessed 8 October 2009) that being gay wasn’t illegal (only sexual acts are illegal) [26a] the Jamaica Gleaner reported on 26 May 2008 that Jamaica did not have any laws protecting gays and lesbians against violence, abuse and discrimination based on their sexuality. The report noted that “... there is no general anti-discrimination legislation. For this reason, there is no direct legal recourse for acts of gender, racial or sexual bias. In short, there is no law which prevents discrimination against an individual on the basis of his sexual preference.” [34h]

Further information can be accessed via the following weblink: http://www.ilga.org/statehomophobia/ILGA_State_Sponsored_Homophobia_2008.pdf, ‘State-Sponsored Homophobia Around the World’, May 14, 2008 [42b]

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TREATMENT BY, AND ATTITUDES OF, STATE AUTHORITIES

19.10 A number of news reports have noted Prime Minister Bruce Golding’s homophobic statements regarding his refusal to appoint openly gay men or lesbians to his cabinet, and Mr Golding’s refusal to countenance any changes to anti-gay legislation. (The Jamaica Gleaner, 21 May 2008) [34k] (The Jamaica Gleaner, 27 May 2008) [34f] Pink News reported on 24 June 2008 that as a result of Mr Golding’s anti-gay statements his party’s popularity among the electorate has increased. [43d] 365 Gay News noted on 20 July 2009 that: “... three successive governments have completely, utterly, publicly

refused even to talk about changing the buggery law – which expressly consigns gay people to second class citizens and paints targets on their backs.” [77b]

- 19.11 On 18 February 2008, *The Jamaica Gleaner* reported that Jamaican church leaders stood resolute that despite strong lobbying by international gay rights activists, same-sex relationships would not be accepted as normal. Church leaders had responded to a scathing report by Human Rights Watch (HRW) and protests held in Florida. The Rev Dr Merrick ‘Al’ Miller said that: “...the demands of gay activists who are attempting to force their beliefs on society will in no way influence Jamaicans to change their views... Homosexuality is wrong from every possible angle, it’s immoral from a physical, social and spiritual standpoint.” He continued “...despite this, the church was willing to help and support those homosexuals who are in need of counselling or assistance to change their lifestyle.” [34d]
- 19.12 In a further example of the attitudes held by the country’s leaders, Human Rights Watch (HRW) reported on 19 February 2009 that a member of Jamaica’s ruling party openly “... called for gay organizations to be outlawed and demanded life imprisonment for homosexual conduct ...” [59b]
- 19.13 The Immigration and Refugee Board of Canada noted a report from an online gay magazine called ‘The Gully’ (dated 10 May 2006), that explained that Jamaica’s homophobia had permeated all levels of society, from religion and politics, right down to popular culture. The article noted that homophobia had “... combined into a peculiar nationalism ... gay-bashing has become a kind of patriotism ... an integral part of the Jamaican identity.” (Responses to Information Requests, Immigration and Refugee Board of Canada, February 22, 2007) [33a]
- 19.14 Numerous sources document the fact that a large proportion of the Jamaican police force is homophobic. Reports published in 2008 from Human Rights Watch and Jane’s Sentinel note that police officers have been actively involved in violence against lesbians and gay men. (Human Rights Watch, 31 January 2008) [59a] (Jamaica (Security and Foreign Forces), dated 22 October 2008) [87d]
- 19.15 Human Rights Watch also noted that “... gay men are targeted for extortion by both police and private individuals. Due to fear that their homosexuality might be publicized, the paucity of available legal assistance, and the possibility of being prosecuted, gay men are unlikely to formally report the extortion. The report also stated that Jamaica’s sodomy laws and discrimination by health care workers impede access to health care for gays and lesbians. [59b] (p4)

Further, People living with HIV/AIDS and men who have sex with men face numerous human rights abuses that constitute barriers to obtaining necessary medical care. Among these are discrimination by health workers who forced them to wait extended periods of time to be seen, treated them in an abusive or degrading manner, provided inadequate care, or denied them treatment altogether. Health workers also routinely violated their privacy by disclosing confidential information about HIV status and sexual orientation.

The report also detailed many specific examples of gay men receiving inadequate health care and gay men who have abandoned the public health care system due to their fear of poor treatment. [59b] (p4)

- 19.16 The USSD Country Report 2008 also reported that:

“Male inmates deemed by prison wardens to be homosexual were held in a separate facility for their protection. The method used for determining their sexual orientation was subjective and not regulated by the prison system, although inmates were said to confirm their homosexuality for their own safety. There were numerous reports of violence against homosexual inmates, perpetrated by the wardens and by other inmates, but few inmates sought recourse through the prison system.” [8a] (Section 5)

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SOCIETAL TREATMENT AND ATTITUDES

VIOLENCE AGAINST GAY MEN

- 19.17 365gay reported on its website on 20 June 2008 that a public opinion poll undertaken has confirmed that 70 per cent of the Jamaican population oppose any civil rights for gays. Stating that “... there is little chance laws against homosexuality will be repealed in Jamaica ‘Jamaica has been described by human rights groups as having the worst record of any country in the New World in its treatment of gays and lesbians’. The survey found that 70 percent of Jamaicans do not believe gays and lesbians should have any civil rights.” [77a] 365 Gay News noted on 20 July 2009 that: “Brooklyn-based writer Staceyann Chin, a lesbian who fled her Caribbean homeland for New York ...” stated that “‘The macho ideal is celebrated, praised in Jamaica, while homosexuality is paralleled with paedophilia, rapists ...’ [77b]
- 19.18 *The Independent* reported on 12 September 2009 that Jamaica was a grim place to be gay. Referring to the murder of a British diplomat (who was believed to be gay) in Jamaica on 9 September 2009, the newspaper article stated: “The manner of Mr Terry’s death provides harrowing evidence that prejudice continues to thrive”. [90a] *The New York Times* reported on 24 February 2008 that persistent attacks on the gay and lesbian community “... show easygoing Jamaica is a dire place for gays.” [81a]
- 19.19 Jane’s Sentinel Country Risk Assessments – Jamaica (Security and Foreign Forces), dated 22 October 2008, reported that: “Violence against homosexuals is widespread, sometimes with the active participation of police officers.” [87d]
- 19.20 The USSD 2008 noted that:
- “The Jamaica Forum for Lesbians, All Sexuals, and Gays (J-FLAG) continued to report human rights abuses, including arbitrary detention, mob attacks, stabbings, harassment of homosexual patients by hospital and prison staff, and targeted shootings of homosexuals. Police often did not investigate such incidents. J-FLAG members also suffered attacks on their property, home

intrusions as people demanded to know the number of persons and beds in a home, and in one instance, a fire bombing at the home of two men that left one of them with burns on more than 60 percent of his body. In addition homosexuals faced death and arson threats, with some of these directed at the J-FLAG offices. J-FLAG did not publicize its location due to such threats, and its officials reported feeling unsafe having meetings with clients at the organization's office." [8a] (p9, section 5)

- 19.21 Human Rights Watch noted in its report, 'Jamaica: Condemn Homophobic Remarks', dated 19 February 2009, that in recent years it had "... documented extensive violence faced by LGBT people across Jamaica." These include mob attacks involving hundreds of people. The examples of homophobic violence are recurrent and often result in serious injury and death. Police have often refused to intervene or assist the victims or restrain or detain attackers. [59b]
- 19.22 Numerous reports note that LGBT activists in Jamaica were often singled out for attacks, with reports from Freedom House, Human Rights Watch, and Pink News, noting that activists have been attacked and murdered over the last few years (Freedom House, 2008) [32a] (Human Rights Watch, 1 December 2005) [59d] and some have been driven to seek asylum in Canada. (Pink News, 26 February 2008) [43b]
- 19.23 A Freedom House Country Report 2008 reported that Brian Williamson a spokesperson for the advocacy group Jamaica Forum for Lesbians, All-Sexuals, and Gays (J-FLAG) was murdered in his new Kingston apartment on 9 June 2004. Immediately after Williamson was murdered, a crowd gathered outside of his home and began singing lyrics from Buju Banton's song about killing gay men. In addition, "One man called out, 'Batty man [derogatory term for a gay man] he get killed.' Others were celebrating, laughing and shouting 'Let's get them one at a time', 'That's what you get for sin'." [20a] The perpetrator was sentenced to life in prison in May 2006. [32a] (p4)
- 19.24 As noted above, in an article published by online gay magazine 'The Gully' (dated 10 May 2006), Jamaica's homophobia is firmly rooted in popular culture to the extent that being homophobic is now part of the Jamaican identity. (Responses to Information Requests, Immigration and Refugee Board of Canada, February 22, 2007) [33a] Much of popular culture, in particular dancehall music, has been accused of inciting violence against lesbians and gay men. *The Guardian* reported on 27 April 2006 and 2 August 2007 that dancehall performers such as Buju Banton, Capleton, Sizzla, and Beenie Man have openly sang about the killing of gay men. [20a] [20d] The reach and influence of some of these musicians is partly demonstrated by the fact that Beenie Man is a Grammy Award winning artist. (The Jamaica Observer, 22 July 2007) [36e]
- 19.25 The popularity of homophobic dancehall musicians was further demonstrated by an article published in *The Guardian* on 27 April 2006 that noted that: "At one concert in January 2004, a dancehall singer told a crowd of 30,000 in St Elizabeth: 'Kill dem battyboys haffi dead, gun shots pon dem ... who want to see dem dead put up his hand' (Kill them, the queers have to die, gun shots in their head ... put up your hand if you want to see them dead)." Additionally, "Beenie Man, meanwhile has sung: 'I'm a dreaming of a new Jamaica, come to execute all the gays'." The article goes on to note Buju Banton's song,

'Boom Bye Bye', "advocates shooting gay men in the head, pouring acid over them, and setting them on fire," was himself charged in an anti-gay attack. [20a]

- 19.26 In 2007, a number of reggae and dancehall acts have signed-up to the 'Reggae compassionate act' set up by the gay rights campaign group 'Stop Murder Music'. (The Guardian, 23 July 2007) [20b] The agreement, set up to try and reduce homophobia in music, has been signed by Buju Banton, Capleton, Sizzla, and Beenie Man. However, some commentators suggested that the musicians were not sincere and had signed the agreement purely for economic reasons. (The Guardian, 2 August 2007) [20d] (The Jamaican Observer, 22 July 2007) [36e]
- 19.27 Following the murder of Steve Lenford Harvey, in December 2005 the *Jamaica Observer* reported that police were to appoint an independent monitor of their investigation. [36af] This was an apparent first, and police claimed they could also do so for future investigations if it was believed a gay man had been killed because his sexual preference. [36af] The move was thought to be in response to claims by gay rights activists that the police did not investigate crimes involving gay men seriously enough; as a result UNAIDS responded positively, stating it's support. (Jamaica Observer, 9 December 2005) [36af]

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LESBIANS

- 19.28 An article in Women's e News on the plight of lesbians in Jamaica reported that women who step outside societal norms by dressing in 'too manly' a style or having few male visitors, for example - risk threats of verbal and physical abuse. Women have reportedly been raped, beaten, murdered and forced out of their homes or jobs simply for being lesbians. (Women's e News, 'Lesbian Activists in Jamaica Tell Horror Stories'), 3 September 2005 [45a]

See: "Lesbian Activists in Jamaica Tell Horror Stories," Women's e News, September 3, 2005, [45a] which can be accessed at <http://www.womensenews.org/article.cfm/dyn/aid/2214/context/archive>, accessed 2 October 2008.

Additional information can also be accessed via the following weblinks:
<http://hrw.org/reports/2004/jamaica1104/>, 'Hated to Death', Human Rights Watch, November 2004, accessed October 12, 2009. [59b]
<http://www.guardian.co.uk/world/2004/aug/02/gayrights.gender>, 'If You're Gay in Jamaica You're Dead', Guardian, 2 August 2004, accessed 2 October 2008. [20e]

- 19.29 The Guardian reported that: "The lesbian experience is neither better nor worse but certainly different [than the gay male experience]. 'The abuse against women is a bit more subtle,' says one lesbian who did not wish to be named. 'There's the rape that you probably never report. The beating from the boyfriend twice removed who's just heard that you're lesbian and has come to whoop your arse;'" ('Victory for Gay Rights Campaign as Reggae Star Agrees to Ditch Homophobic Lyrics', The Guardian, July 23, 2007, available at

<http://www.guardian.co.uk/uk/2007/jul/23/musicnews.gayrights>, accessed 2 October 2008.) [20b]

- 19.30 Lesbians in Jamaica have also faced forced evictions from the communities they live in. In April 2007, residents of the McGregor Gully community in East Kingston gave gays and lesbians two weeks notice to move out or “or suffer the consequences.” Lesbians were the main target of the eviction order, but gay men were also told to leave. According to the Jamaica Star, the residents said they would not stop until their community was “gay free” and were “not afraid of resorting to extreme measures.” (‘Gays Must Leave Today’, Jamaica Star, April 26, 2007) [35b]
Full details can be accessed at the following weblink: <http://www.jamaica-star.com/thestar/20070426/news/news1.html>,
- 19.31 Beenie Man's ‘Han Up Deh’ also includes the incitement: “Hang chi-chi gal [lesbians] with a long piece of rope.” See: ‘Black and Gay and Hunted’, New Statesman, 4 October 2004, which can be accessed at the following weblink: <http://www.newstatesman.com/200410040017>, accessed 25 September 2008.

TRANSGENDER

- 19.32 The *Jamaica Observer*, dated 11 October 2004, reported that a transsexual woman (a male in transition to a female) had lost her job due to her decision to change sex. The article noted that hormone treatment ran at an average of US\$300 every three months and that the operations completing the sex change were performed in Thailand. [36bi]
- 19.33 Information about the legal status of transgender persons is scarce. Sexual Minorities and the Law: A World Survey, updated in July 2006, observed that regarding transgender persons, there was “no data or the legal situation remained unclear”. [44a]

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20. WOMEN

OVERVIEW

- 20.01 The US State Department Report on Human Rights Practices 2008 (USSD 2008), published on 25 February 2009, noted that:

“Social and cultural traditions perpetuated violence against women, including spousal abuse. Violence against women was widespread, but many women were reluctant to acknowledge or report abusive behaviour, leading to wide variations in estimates of its extent. ... Although the law accords women full legal equality, including equal pay for equal work, in practice women suffered from discrimination in the workplace and often earned less than their male counterparts.

“Rape was illegal and carried a penalty of up to 25 years' imprisonment with hard labor. Spousal rape is not recognized as a crime. ... There is no legislation that addresses sexual harassment, and it was a problem. There were reports of sexual harassment of women by the police, but some observers believed that women often did not report such incidents because there was no legal remedy.” [8a] (Section 5)

LEGAL RIGHTS

- 20.02 The International Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) was ratified by Jamaica in 1981. The Convention:

- “Affirms women’s rights to full participation in the political and public life of the nation and guarantees women the rights to vote, to hold public office and to exercise public functions.
- Affirms women’s right to non-discrimination in education, employment and economic and social activities.
- Asserts the full equality of women in civil and business matters.
- Asserts the equal rights and obligations of women and men with regard to choice of spouse, parenthood, personal rights and command over property.” [31a]

- 20.03 The United Nations Division for the Advancement of Women, Country report, accessed 17 September 2009 reported on the guidelines and general recommendation, stating: “Countries that have ratified or acceded to the Convention are legally bound to put its provisions into practice. They are also committed to submit national reports to the United Nations Division for the Advancement of Women, at least every four years, on measures they have taken to comply with their treaty obligations.” [72a]

Full report can be accessed via the following UN weblink: [Women - legal rights](#). [72a]

(See also [political rights](#))

POLITICAL RIGHTS

- 20.04 USSD 2008 noted that: "There were eight women elected to the 60-seat House of Representatives, and three women in the 21-seat Senate. Two of the 18 cabinet members were women." [8a] (p6, Section 2d)

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VIOLENCE AGAINST WOMEN

- 20.05 Women's Media Watch (WMW) Jamaica, website accessed 28 November 2008 noted:

"WMW, in collaboration with the Bureau of Women's Affairs (BWA) is spearheading a comprehensive and innovative project with the long-term vision of reducing gender based violence in Jamaica. The project focuses specifically on domestic violence, sexual violence, and sexual harassment. Over the past twelve months, WMW has trained media workers, teachers, counsellors, trainers and community leaders on the relevant national policies, laws, and UN conventions which speak to violence against women, in an effort to reduce the tolerance of violence against women within these communities. WMW has implemented a public education and awareness raising campaign on gender and violence using the media, public forums, magazines, and the internet to disseminate its message. In addition to this, we have created and published innovative training materials on gender based violence." [71a]

- 20.06 On 27 November 2008, the Jamaica Information Service reported that the Jamaica Constabulary Force would take action to bring men who committed violence against women to justice. The Minister of State for National Security, Senator Arthur Williams, stated: "Police statistics show that since January 1, 153 females in Jamaica have been murdered up from 121 for the same period last year and 132 in 2006. There were 714 reports of rape, an increase from the 640 for the same period in 2007 and 630 in 2006. A total of 414 cases of carnal abuse were reported, with 388 in 2007, and 393 in 2006." [24m]
- 20.07 The Jamaica Information Service also reported on 1 December 2008 that Jamaica has no sexual harassment laws; the Sexual Harassment Policy will protect women in the workplace, education and health institutions and provide protection under the law. [24l]
- 20.08 The USSD 2008, noted that:
- "Rape was illegal and carried a penalty of up to 25 years' imprisonment with hard labor. Spousal rape is not recognized as a crime. During the year 774 rapes were reported. NGOs believed the actual numbers were much higher, but they could not provide any detailed statistics. The JCF rape investigative and juvenile unit, which was headed by a female deputy superintendent, handled sex crimes. No information was available as to the number of prosecutions and convictions obtained." [8a] (Section 5, p7)
- 20.09 The *Jamaica Gleaner* reported on 21 April 2008 that: "Despite the passing of the Domestic Violence Act (1995) and its amendment (2004), gender-based violence against women physically, sexually and emotionally is still widespread." [34l]

(See also [Women – Legal rights](#))

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Social and economic rights

- 20.10 On December 7 [2004], Parliament passed the Domestic Violence (Amendment) Act 2004. The bill provides for the widening of the categories of persons who may apply for a protection order, to include any person who resides in the respondent's household or who is in a visiting relationship with the respondent. The bill also provides for applications for protection orders to be made by a constable or a person who is given leave to apply by the Court on behalf of a spouse, or other member of the respondent's household or a person who is in a visiting relationship with the respondent, upon the written consent of that person. The bill also provides for maintenance orders to be made in conjunction with protection and occupation orders. [61a] A copy of the Domestic Violence Act (1995) is annexed as source [60a].
- 20.11 The Bureau of Women's Affairs was responsible for catalysing government efforts in addressing women's problems faced by women, such as unemployment, domestic violence, rape and sexual harassment. The Bureau also aimed to help women achieve their full potential in Jamaica's social, cultural and economic arenas. (Jamaica Information Service, Bureau of Women's Affairs) [24bd]
- 20.12 Under the Offences against the Person Act of 1864, abortion is illegal in Jamaica. "Under the Act, any person who, intending to procure a miscarriage, regardless of whether the woman is with child, unlawfully administers to her any poison or noxious thing or unlawfully uses any instrument or other means to the same end is subject to life imprisonment, with or without hard labour. A pregnant woman who acts in the same way with respect to her own pregnancy is subject to the same penalty" however an abortion may be allowed to save the life of the pregnant woman, preserve physical health or preserve mental health. (Jamaica Abortion Policy, accessed 5 December 2008) [54a]
- 20.13 The USSD 2008 noted:
- "Social and cultural traditions perpetuated violence against women, including spousal abuse. Violence against women was widespread, but many women were reluctant to acknowledge or report abusive behaviour, leading to wide variations in estimates of its extent. The law provides remedies for domestic violence, including restraining orders and other noncustodial sentencing. Breaching a restraining order is punishable by a fine of up to approximately \$166 (J\$10,000) and six months' imprisonment. There was a general reluctance by the police to become involved in domestic issues, which led to cases not being pursued vigorously when reported. The Bureau of Women's Affairs operated crisis hot lines and shelters and managed a public education campaign to raise the profile of domestic violence." [8a] (p7, Section 5)

(See also [Violence against women](#))

- 20.14 Speaking at the Parliament on the International Day for the Elimination of Violence against Women (on 25 November 2008) the Minister of Information, Culture, Youth and Sports, Olivia Grange stated: "...Jamaica [has] signed several human rights treaties that have defined violence against women and girls as a human rights violation." (Jamaica Information Service, 26 November 2008) [24aw]
- 20.15 The Women's Centre of Jamaica Foundation (WCJF), established in 1978 provided assistance to girls 17 years and under, who had dropped out of school due to pregnancy. The WCJF focused on "...the education, training and developmental counselling of youngsters... [by] ... improving levels of employment and productivity..." WCJF provided a "...walk-in' counselling service for women ... counselling service[s] for children of any age and group counselling sessions through the KEY Knowledge and Education for Youth program" Day Care/crèche facilities were also available to working mothers. (Women's Centre of Jamaica Foundation (WCJF), accessed 5 December 2008) [25a]

Additional and more detailed information on women can be accessed via the following weblinks: [*USSD report for 2008*](#), [*Amnesty International 2009 report*](#) and [*Freedom house 2009 country report*](#),

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21. CHILDREN

OVERVIEW

21.01 On social welfare issues concerning children, Jamaica Information Service reported on 4 November 2008 that: “The Cabinet approved Jamaica’s accession to the Hague Convention on the Civil Aspects of International Child Abduction 1980. Accession to the Convention allows for the return of Jamaican children unlawfully removed from their parents and would serve as a deterrent to parents unlawfully removing children to Jamaica.” [24s]

21.02 The United States Department of Labor’s 2008 report on the findings on the worst forms of child labour for Jamaica, published 10 September 2009, recorded:

“Children in Jamaica work on plantations, farms, and construction sites, as well as in gardens, shops, and markets. Children also work selling goods on the street and begging.

“Commercial sexual exploitation of children is a problem in Jamaica, especially in tourist areas. Girls are recruited as barmaids and masseuses but then forced into prostitution. Boys who work on the streets of Kingston and Montego Bay are vulnerable to being trafficked. Boys working on the streets are also forced into selling drugs or becoming drug couriers. Girls in rural areas are sometimes recruited for domestic labor and then forced into servitude.” [83a]

Basic Legal information

21.03 The Child Care and Protection Act defines a child as anyone up to the age of 18 years. The age of sexual consent is 16 years. (Child Development Agency, 25 September 2008) [58c]

21.04 The US Department of Labor’s 2008 report of the findings on the worst forms of child labour for Jamaica recorded that:

“The minimum age for employment in Jamaica is 15 years. The law prohibits the employment of children under 13 years in any type of work. Children between 13 and 15 years are permitted to engage in ‘light work’, as prescribed by the Ministry of Labor, which will not disrupt their education or be harmful to their health, including their physical, mental, spiritual, or social development. The law also prohibits children under 15 years from working at night or in any industrial undertaking. The Ministry of Labor maintains a list of prohibited occupations for children, including fishing at sea, handling insecticides, operating equipment, or producing.” [83a]

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Legal rights

- 21.05 UNICEF published on its undated website, an article of the 20th Anniversary, on the Convention on the Rights of the Child. The Convention protects children's rights by setting standards in health care; education; and legal, civil and social services. "... it sets out children's rights in 54 articles and two Optional Protocols. It spells out the basic human rights that children everywhere have: the right to survival; to develop to the fullest; to protection from harmful influences, abuse and exploitation; and to participate fully in family, cultural and social life." [10c]

Further information about children's rights and protection can be accessed via the following UNICEF websites: [UNICEF](#), 20th Anniversary: Convention on the Rights of the Child. Undated [10c], [UNICEF](#), Jamaica gets first Children's Advocate, [10f]

VIOLENCE AGAINST CHILDREN

- 21.06 The US State Department Country Report on Human Rights Practices 2008 (USSD report for 2008), released on 25 February 2009 recorded:

"There was no societal pattern of abuse of children; however, there were numerous reports of rape and incest, particularly in inner cities. NGOs reported that inner-city gang leaders and sometimes even fathers initiated sex with young girls as a 'right'. During the year there were 462 cases of carnal abuse reported, a decrease of 9 percent from 2007. The government expressed concern about child abuse and acknowledged that incidents were underreported. The CDA held training sessions to familiarize police officers with the rights of children and to prepare them to enforce the Child Care and Protection Act." [8a] (Section 5, p8)

- 21.07 On the 11 August 2008 the Jamaica Information Service stated that the Office of the Children's Registry, who logs reports of child abuse, had reported that:

"Sometimes we receive about 10 calls per day. For the year 2007, we had 418 reports, and between January to June this year, we had 1592 reports ... For the month of June, (there were) 142 cases of physical abuse; sexual abuse - 137; neglect - 223; care and protection - 270; truancy - 17; behavioural problems - 102; absconding - 7; trafficking - 4; substance abuse - one; emotional abuse - 23; and incest -16 ..." [24ab]

- 21.08 On 24 October 2008 the Jamaica Information Service reported that: "In May 2008, when we celebrated Child Month, 200 children below age 10 were treated at the Bustamante Children's Hospital in Kingston, for accident-related injuries and physical abuse; in addition, 12 children were murdered, casualties of gang violence ..." [24ae]

- 21.09 On 15 October 2008 the *Jamaica Gleaner* reported that the Prime Minister Bruce Golding pressed the child abuse task force to act immediately to implement initiatives addressing violence against children. The task force comprised of government ministries, agencies, the cabinet, and opposition members. Its suggested initiatives included: "... establish a three digit emergency number whereby children in crisis can call and report cases of

abuse. Cable and cellular phone providers ... to display photographs and carry information of missing children, the Ministry of National Security ... to strengthen the capacity of its Centre for Investigation of Sexual Offences and Child Abuse [and] Strategies to better protect the country's children" The same article continued: "...the Sexual Offences Bill is to be brought before cabinet in the next two weeks." [34aj]

Additional and further information on Children in general and Violence against children can be accessed via the following weblinks: [USSD report for 2008](#), and [Amnesty International 2009 report](#)

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CHILD CARE AND PROTECTION

- 21.10 The Child Care and Protection Act (CCPA) 2004, was established to provide regulations regarding the care and protection of children. The Child Development Agency (CDA) website stated that the Act, which applied to parents and all who worked with children, ensured "... adults considered the views and best interests of children... monitored the care and protection of children... provided special help to children who are in need of care and protection ... [and] made sure that all children are protected from abuse or neglect." [58c]
- 21.11 There are a number of both government and privately owned children's homes and places of safety across Jamaica, which are managed and supervised by the Child Development Agency (CDA). The CDA listed 12 Places of Safety and 45 Children Homes. (CDA, Residential Child Care Facilities, accessed 25 September 2008) [58a] The Child Development Agency (CDA) website reported "... an increase in the number of children placed in foster care during 2006/07, with some 295 successful cases. [The] Chief Executive Officer (CEO) of the CDA ...said while this number fell short of the agency's target of 300 placements, it was better than the previous year's total of 240. 'We are steadily trying to meet our target, mindful of the very importance of ensuring that the necessary checks and monitoring are in place for the children, who move into this foster care programme'. ... There are currently 1,160 children in the foster care programme. This figure represents approximately 20 per cent of the 5,890 children in state care." [58b]
- 21.12 The Office of the Children's Advocate (OCA) established in 2006 to protect and enforce the rights of children and promotes their well-being and welfare. The Jamaica Information Service noted that its functions are to provide "... legal representation for children in courts; reviewing laws and practices relating to a child's rights and best interests as well as reviewing the services provided for children by relevant authorities to ensure that they are adequate and effective; and giving advice and making recommendations to parliament, ministers and relevant authorities on matters relating to the rights or best interests of children." [24au]

- 21.13 In a guide to international adoption, concerning Jamaica, the US Department of State Bureau of Consular Affairs noted that:
- “The government office responsible for adoptions in Jamaica is the Jamaican Adoption Board. Single individuals or married couples may adopt children in Jamaica. Those persons not related to the potential adopted child must be age 25 years or older. If the child is a brother, sister, niece or nephew of the prospective adoptive parent(s), the age limit is 18. The Adoption Board does not have any specified medical ineligibilities, but evaluates each potential adoption on a case-by-case basis. A medical condition of the adoptive parents may factor into this evaluation.” [8d]
- 21.14 Additionally: “There are two types of adoption in Jamaica: Adoption Orders and Adoption Licenses. Adoption Orders provide for the orphan to be adopted in Jamaica. Adoption Licenses allow for a Jamaican citizen orphan to be taken to a ‘scheduled country’ and adopted there.” [8d] The Department of Health’s guide to adoption in Jamaica noted that the United States, Sweden, Denmark and all Commonwealth countries are ‘scheduled countries’. [30a]
- 21.15 The Child Development Agency (CDA) website, accessed 25 September 2008, included a step by step guide and provided a brochure, application forms and notes on the adoption process in Jamaica. [58d]

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EDUCATION

- 21.16 The government announced plans to spend an additional \$219 million JMD on textbooks. Deputy Chief Education Officer in the Ministry of Education, Salomie Evering stated: “This year we are spending approximately \$1.2 billion JMD on textbooks, \$700 million JMD at the secondary level and \$520 million for the primary ...” (Jamaica Information Service, 22 August 2008) [24t]
- 21.17 The Ministry of Education implemented a programme to reduce absenteeism in primary schools the Jamaica Information Service reported on 2 October 2008. A number of interventions have been formulated in order to increase attendance. “Part of the interventions will be to provide needy students with uniform and other related educational items, such as bus fare to travel to and from school; provision of counselling support for parents and students, and incentives to encourage students who breach the attendance bar of 85 per cent.” [24as]
- 21.18 The Government stated that new laws may be required in order to combat the growing occurrences of crime and violence in schools and to facilitate the education of dysfunctional and disruptive children. Interim measures include “... an increase in the number of District Constables to be Resource Officers for schools, [an] increase in mobile patrols in and around schools ... police will be working closely with school administrators to tighten security measures in schools and streets where children are vulnerable.” (Jamaica Information Service, 24 November 2008) [24ar]

Additional information on the education of children can be accessed via the US States Department weblink as follows: [USSD report for 2008](#) [8a]

HEALTH AND WELFARE

- 21.19 The Background page on UNICEF's website on Jamaica, accessed 11 September 2009, noted:

"Jamaica has made impressive strides to provide most of its children with access to health, nutrition, education and social services. ... The incidence of poverty is declining. However, almost one of every two Jamaicans who live in poverty is a child while only 37 per cent of Jamaicans are children. While children are given a high priority in the development of national policies and plans, resource allocations are not commensurate with objectives." [10b]

- 21.20 The Jamaica Information Service reported on 5 April 2008 that: A total of \$133.5 million has been but aside in the 2008/09 budget to maintain and upgrade health facilities in the country. The breakdown is as follows:

- \$50 million to go towards the health facilities improvement programme, which is an ongoing project for maintaining and upgrading the buildings and equipment of health care institutions.
- \$10 million would be used to procure medical equipment for selected hospitals and other health care institutions.
- \$10 million to facilitate repairs to the Bellevue Hospital.
- The remainder, \$63.5 million, to be used for the Disease Prevention and Control project, which was developed to initiate and maintain measures, such as the surveillance of water supplies, the food trade and sewage disposal systems. [24ag]

The [Unicef website](#) provides detailed information regarding children in Jamaica. [10a], additional information on children can also be accessed via the following weblinks: [Amnesty Annual Report 2009](#)

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22. MEDICAL ISSUES

- 22.01 The Jamaica Information Service, Ministry of Health, accessed 11 September 2009, noted: "The Ministry of Health & Environment is responsible for ensuring the provision of an adequate, effective and efficient health service for the population of Jamaica. ...

"Over the past three years, the Ministry has undertaken a comprehensive rationalisation/re-organisation of the health service. The management and delivery of health services have been de-centralised to four statutory regional Health Authorities covering the island. Under the new status, the Ministry's two largest programmes: Primary, and Secondary and Tertiary Health Care have been integrated into a new programme – Health Service Delivery. It is expected that regional management will improve the quality of health care with more efficient use of resources and timely decision-making." [24d]

LGBT MEDICAL ISSUES.

- 22.02 The *Jamaica Gleaner* reported on 11 March 2009 that a survey carried out has revealed that gay men are avoiding health care because of the stigma attached to being gay. "As debate stirs over the Jamaican Government's insistence on retaining legislation against buggery, homosexual men continue to suffer from discriminatory acts which make it difficult for them to seek health care in the country, a study has indicated.

"A 2008 survey commissioned by the Ministry of Health showed 31.8 per cent of gay men in Jamaica are living with HIV. Another 8.5 per cent were found with chlamidia, 2.5 per cent had gonorrhoea and 5.5 per cent had syphilis.

"According to a release from the Caribbean HIV & AIDS Alliance (CHAA), the high number of sexually transmitted infections among gay men, sometimes termed men who have sex with men (or MSM), is linked to the way they are treated by the law and members of the general population, including those in the health sector." [34q]

Also see [LGBT](#)

OVERVIEW OF AVAILABILITY OF MEDICAL TREATMENT AND DRUGS

- 22.03 The Jamaica Information Service, Ministry of Health, accessed 11 September 2009, noted that the state health sector provides most of the island's health care provision, "Services are provided through the government's network of twenty-three (23) hospitals and over three hundred and fifty (350) health centres and specialised institutions." [24d]
- 22.04 The *Jamaica Gleaner* reported on 28 January 2008, that Port Maria Public Hospital in St Mary, received a US\$45,000 x-ray machine from the Couples Ocho Rios resort. The article noted: "The hospital was without the use of an X-ray machine for more than three years after the passage of Hurricane Ivan which badly damaged the previous one. The hotel also refurbished the X-ray department building, which had been damaged by the hurricane, to the tune of J\$250,000 and donated an electro-cardiograph (ECG) machine valued at

J\$280,000 and also provided the US\$5,000 matching grant for the purchase of the X-ray machine.” [34ai]

- 22.05 Jamaica received \$10million of medicines the Jamaica Information Service reported on 13 May 2008. David Singh of the Destiny Foundation pledged: “...to support Jamaica in fighting poverty, diabetes and HIV Aids.” Mr Singh pledged: “...\$10 million dollars in the form of essential medicines, water purification, water tablets and hurricane relief material and assistance. Of the \$10 million pledged, \$4 million has been distributed and the additional \$6 million will be distributed over the next two years.” [24aa]
- 22.06 On the 7 November 2008 the Jamaica information Service reported that Kingston Public Hospital (KPH), had received “...four haemodialysis chairs, a hand-held Doppler and a portable electrocardiogram (ECG) machine” as a donation from the Speaker of the House of Representatives, Delroy Chuck and his wife. [24r]
- 22.07 On 23 October 2008, the Jamaica information Service reported that: The Bustamante Hospital for Children, established in 1963, which was the only paediatric hospital in the English-speaking Caribbean, had signed a US\$62,730 grant “...for the purchase of two pieces of equipment, which will enhance the laboratory at the facility. The equipment will assist in the processing of haematology and chemistry samples at the hospital.” [24am]
- 22.08 The Jamaica Observer reported on 30 September 2009 that researchers from the University of Texas Health Science Center in Houston, USA and the University of the West Indies in Kingston will be carrying out a joint study of Jamaican children with autism. The main aim of the study is to establish how genetics and environment may interact to cause the various forms of autism disorders. “This study will help us identify if autism is related to gene-environment interaction,” the report stated [36o]
- 22.09 ValueMD reported provided details of the University of the West Indies Medical School on its undated website. Noting that at the present time, “the University of the West Indies as a whole, has the unique status of being a truly international university, serving as the principal tertiary educational institution for 14 Caribbean countries.” Furthermore: “The Faculty of Medical Sciences plays a vital role in the training of health care professionals, particularly doctors, for the entire region.” [96a]

THE NATIONAL HEALTH FUND (NHF)

- 22.10 In 1997 the green paper for The National Health Insurance Plan (NHIP) was presented to Parliament for consideration. In 2000 The National Health Insurance Plan (NHIP) Implementation Unit presented a proposal for a National Health Fund (NHF). The NHF website accessed 3 December 2008 stated:

“... the mission of the NHF is to reduce the burden on health care by supporting improvements in health benefits, access to medical treatment and preventive care for the resident population of Jamaica. It is not intended that the NHF become a provider of healthcare. The NHF is concerned with assisting the Jamaican population to improve their well being by addressing their health issues and providing support to healthcare providers who service

the population. The NHF provides two categories of benefits. Individual Benefits directly assist patients and Institutional Benefits, which support governmental and non-governmental organisations.” [46a]

22.11 The National Health Fund website also noted:

“Persons seeking assistance from NHF Individual Benefits must be certified, by a registered private or public doctor, with one or more of the specified medical conditions and register with the NHF. Once approved, the beneficiary is issued with a NHF card and will be able to get assistance with the purchase of drugs from approved participating pharmacies. The NHF makes a fixed payment towards the price set by the pharmacy for drugs approved by the NHF. The beneficiary is required to pay the difference - the co-payment. The NHF also takes an active role in educating the population and its beneficiaries on the importance of properly managing and treating their chronic condition. Various strategies are used to achieve this including informational advertising and literature, seminars and promotions through public events e.g. health fairs.” [46b]

22.12 On 4 June 2008 the Jamaica Information Service reported that: “... more than 422,000 persons have benefited from the abolition of user fees at public health facilities. These include 217,565 persons at hospitals and 204,950 persons at 75 Type 3 to 5 health centres across the island.” The article informed that patients at public hospitals and health centres, except the University of the West Indies, received services such as ...”doctor’s examination; hospital stay; diagnostic services including x-rays and laboratory tests; drugs; physiotherapy; surgeries; family planning; immunization; antenatal care; renal dialysis; drugs for chemotherapy; and radiation treatment” free of cost from 1 April 2008. [24ad]

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HIV/AIDS

22.13 The Ministry of Health Website accessed 3 December 2008 noted:

“The National HIV/AIDS/STI Control Programme facilitates the co-operation of the public and private sectors, as well as non-government organizations (NGOs) in the fight against HIV/AIDS. In addition to the Government of Jamaica’s input, the programme has the support of international funding agencies such as UNAIDS, German Technical Cooperation (GTZ), Canadian International Development Agency (CIDA), United Nations Global Programme on AIDS, PAHO/WHO, CAREC, UNFPA, and UNESCO. Most recently the national programme received a loan from the World Bank (IBRD), and a grant from the Global Fund to fight AIDS ...”(Ministry of Health, National HIV/STI Program) [40e]

22.14 USAID on its website last update 2 June 2009 reported that:

“With 1.5 percent of the adult population estimated to be HIV-positive and no significant change over the last five years, Jamaica appears to have stabilized its HIV/AIDS epidemic. However, recent data from high-risk groups suggest that at least 9 percent of commercial sex workers and 20 to 30 percent of men

who have sex with men are estimated to be HIV-positive. Men and women aged 20 to 39 account for 54 percent of reported AIDS cases in Jamaica. First detected in 1982, HIV is present in all of Jamaica's parishes, but Kingston, St. Andrew, and St. James – the three most urbanized parishes – have the majority of cases. UNAIDS estimates that 25,000 people in Jamaica are HIV-infected.” [68d]

Discrimination against people living with HIV/AIDS

- 22.15 The government has taken a major step towards removing the stigma of HIV/AIDS in the workplace by tabling a Green Paper on the issue in the House of Representatives. On 25 June 2008 the Jamaica Observer reported that: “...the national workplace policy was developed to guide national response to HIV/AIDS in the workplace. ... the policy would aim to protect the rights of everyone, reduce the spread of HIV/AIDS, reduce stigma and discrimination and provide treatment, counselling, care and support for everyone.” [36c]
- 22.16 On 6 August 2008 *The Jamaica Observer* reported that: “An HIV-discrimination reporting system, expected to be given national recognition when it is put before Parliament this year, should see more persons filing complaints if they believe they have been victims of discrimination. ... With this reporting system, anyone who believes he is a victim of HIV-related mistreatment, abuse or discrimination can lodge a formal complaint.” [36b] The same article noted: “...at least 20 lawyers have already committed to representing persons discriminated against, free of charge.” [36b]
- 22.17 On 30 November 2008 the Jamaica Information Service reported on the launch of the Ministry of Water and Housing's HIV/AIDS workplace policy. Minister of State in the Ministry, Everaldo Warmington, stated:
- “The ... HIV/AIDS policy uses the 10 International Labour Organisation (ILO) principles as its foundation. These are: the recognition of HIV/AIDS as a workplace issue; non-discrimination; gender equality; healthy work environment; social dialogue; no screening for exclusion; confidentiality; continuation of employment; prevention; and care and support. The policy encourages openness and honesty at the workplace about HIV and AIDS and deals with the stigma and discrimination associated with the conditions.” [24an]
- 22.18 The United States Department of State country report on human rights practices for 2008, Jamaica, (USSD report for 2008), published 25 February 2009, noted:
- “No laws protect persons living with HIV/AIDS from discrimination. Human rights NGOs reported severe stigma and discrimination against this group. The ILO worked with the Ministry of Labor on a program to reduce the stigma of HIV/AIDS in the workplace and to assist employers in designing policies for workers with HIV/AIDS. Although health care facilities were prepared to handle patients with HIV/AIDS, health care workers often neglected such patients.” [8a] (p10, Section 5)

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Anti-Retroviral (ARV) treatment

- 22.19 The Ministry of Health reported a drop in the number of new AIDS cases in 2007. There was also a decline in the number of AIDS related deaths; however, there were still 6,500 people in need of antiretroviral therapy, of whom, 4,736 were receiving treatment. (Jamaica Gleaner, 28 November 2008). [34ad]
- 22.20 On 5 April 2007 the Jamaica Information Service reported that: "...\$417.7 million has been earmarked in the 2007/08 Estimates of Expenditure for the HIV/AIDS Treatment, Prevention and Control Programme in the Ministry of Health." [24g]
- 22.21 The HIV/AIDS Treatment, Prevention and Control Programme in Jamaica (Global Fund) were allocated \$374.6 million in the 2008/09 Estimates of Expenditure. The Jamaica Information Service reported on 5 April 2008, that:
- "This money will be used to further strengthen the multi-sector national response to prevent and address the HIV/AIDS epidemic in Jamaica. This will encompass completing and implementing policies and legislative framework specially addressing stigma and discrimination aimed at persons living with HIV/AIDS and vulnerable high-risk groups. The project is being funded by the Global AIDS Fund and is being implemented by the Ministry of Health and Environment." [24e]
- 22.22 On 11 July 2008 the Jamaica Labour Party website reported that Jamaica had been awarded a US\$44m (J\$3.1b) grant from the Global Fund. The Minister for Health and Environment stated:
- "... as the ministry moves towards universal access, the treatment, care and support component will seek to accommodate up to 7,500 persons who are in need of treatment and ensure that they adhere to antiretroviral (ARV) treatment. More than 4,000 persons, including children, living with HIV are now on ARV treatment. There will be interventions geared to monitor and prevent drug resistance and improve standardised methods of tracking adherence and ARV resistance. The Ministry of Health estimates that between 25,000 and 30,000 Jamaicans have HIV. Of that total, 15,000 are unaware of their status." [67a]

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SICKLE CELL

- 22.23 The World Health Organisation (WHO) in a report by the Secretariat, dated 24 April 2006 on the prevalence of Sickle Cell Anaemia stated:
- "Sickle-cell anaemia (also known as sickle-cell disorder or sickle-cell disease) is a common genetic condition due to a haemoglobin disorder – inheritance of mutant haemoglobin genes from both parents. ... Each year about 300 000 infants are born with major haemoglobin disorders – including more than 200 000 cases of sickle-cell anaemia in Africa. Globally, there are more carriers (i.e. healthy people who have inherited only one mutant gene from one parent) of thalassaemia than of sickle-cell anaemia, but the high frequency of the

sickle-cell gene in certain areas leads to a high rate of affected newborns.”
[48c] The report added:

“Sickle-cell anaemia is particularly common among people whose ancestors come from sub-Saharan Africa, India, Saudi Arabia and Mediterranean countries. Migration raised the frequency of the gene in the American continent.” ... [48c]

- 22.24 The *Jamaica Observer* reported on 30 May 2007 that the Sickle Cell Unit at the University Hospital of the West Indies had been praised by Jamaica's High Commissioner to Canada, Evadne Coxe for its excellent work in research and treatment of Sickle Cell sufferers in Jamaica.

“... Coxe highlighted what was being done in Jamaica to reduce the incidence of sickle cell disease. She said that one child in every 150 births in Jamaica is afflicted by the disease, and because of this, Jamaica places much importance on sickle cell awareness, treatment and research. Coxe explained that not only does the Sickle Cell Unit operate clinics for over 5,000 patients with the disease, but it also attracts research fellows from numerous countries around the world. She cited the Jamaican Cohort Study conducted between 1973 and 1981, in which 100,000 newborns were screened for sickle cell.”
[36p]

- 22.25 The *Jamaica Gleaner* reported on 3 October 2007 some facts and fiction about cell sickle disease, stating that: “One in 250 babies born in Jamaica has Sickle Cell Disease (SCD), a group of inherited blood disorders characterised by the predominance of sickle-shaped red blood cells. One in every 10 persons has the sickle cell trait. Most people in Jamaica have family members, friends or colleagues who are affected.” [34s]

Details of the full report can be accessed via the following weblink: [Sickle Cell - facts and fiction](#)

- 22.26 The Rural and Remote Health published a report on 10 April 2008 of a research the organisation had carried out into the quality of life in patients with sickle cell disease in Jamaica. The report stated:

“Quality of life (QOL) refers to people's ability to function in the ordinary tasks of living. It moves beyond direct manifestations of illness to the patient's personal morbidity. ... Sickle cell disease (SCD) is a chronic and potentially, quite a debilitating disease. The disease is severe and may result in significant morbidity, as well as a shortened life span. It is the most common genetic disorder seen in Jamaica and impacts on physical, psychological, social and occupational wellbeing. Jamaica is a developing country where support systems that exist for patients with SCD are sparse. Health related QOL has been shown to be poorer in people living in the rural areas as compared with urban populations.” [97a]

- 22.27 Comparing the rural and urban differences, the report observed that:

“There were no significant differences in the measured socio-demographic characteristics of the rural and urban patients. Living in rural areas compared with urban areas, being employed, and having the heterozygous SC disease versus homozygous sickle cell (SS) disease were all associated with improved

QOL. The rural group also had better physical and mental health scores, as well as perceiving fewer limitations in their daily living activities as a result of their disease. [97a]

- 22.28 On the 15 October 2008 the *Jamaica Gleaner* reported of a new testing regime designed to assist with the early detection of Sick Cell Anaemia. "Professor Graham Serjeant and his team at the Sick Cell Trust, in collaboration with the Ministry of Health, have been offering a series of free screening and blood tests." Professor Serjeant stated: "...if young people are empowered with the knowledge that they carried abnormal genes, they could select partners with normal genes and avoid having a child with the sickle-cell disease." [34ac]

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DIABETES

- 22.29 The Diabetic Association of Jamaica (DAJ) is a non profit, non governmental organisation who work in conjunction with the Jamaican Government to provide diabetes care to the public through clinics, outreach screening and educational activities. The DAJ website (accessed 2 December 2008) noted that: "On average, 8,000 persons use the various services each month from all branches; this does not include persons seen on the outreach programs." [29a]
- 22.30 On 16 November 2007 the Jamaica Information Service reported that:
- "The National Health Fund (NHF) has added the A1C blood test to its list of benefits, which will reduce by 80 per cent to 90 per cent, the cost of the test for diabetics, who are covered under the Fund. ... NHF cardholders will be allowed two subsidized tests annually. The NHF subsidy amounts to \$300 per test... The NHF cardholder will be able to access the test benefit at NHF participating providers such as hospitals, laboratories, medical practitioners and other authorized medical facilities." [24ap]
- 22.31 On 23 April 2008 the Jamaica Information Service reported that: "Information from the WRHA (Western Regional Health Authority) reveals that in 2007, diabetes mellitus accounted for 178 deaths in the health region and 63 lower limb amputations." [24k]
- 22.32 The *Jamaica Cleaner* reported on 20 March 2009 that: "Diabetes is the second leading cause of loss of limbs in the region", as stated at a press conference by Professor Errol Morrison, the director of the University Diabetes Outreach Programme, UDOP, and president of the University of Technology (UTech). " 'We are now seeing diabetes as a leading cause of heart and blood vessel disease and a leading cause of damage to the heart. In Jamaica, diabetes is the second leading cause of death', emphasised Professor Morrison." [34x]

(See also [Kidney dialysis](#))

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CARDIAC DISEASE AND TREATMENT

- 22.33 The Heart Institute of the Caribbean reported on 17 March 2008 of the 3k annual heart walk which aims increase the awareness of heart disease.

“The Heart Institute of Caribbean has been a source of hope since its inception in 2005. The sprawling state-of-the art comprehensive cardiac centre already has a variety of services for patients who require treatment for heart disease. The cardiac centre has also been on the forefront of preventative life-saving techniques. The annual 3K Heart Walk represents this trend in superior cardiac care. ‘We are currently preparing for the 3rd staging of our annual 3K Walk... A healthy lifestyle incorporates many elements including Healthy Body and Soul; Healthy Finances and living environments, Healthy Spirit and Thoughts, and finally Healthy Judgment which includes the ability to make sound decisions about products and services’, said an enthusiastic Dainia Baugh, President of HIC.” [22a]

CANCER TREATMENT

- 22.34 The Jamaica Cancer Society is a non-governmental organisation established in 1955, which carries out screening, counselling and outreach programmes for cancer. The head office is based in Kingston and there are 3 regional branches in Manchester, St Ann/St Mary and St Elizabeth. [41a] The clinic of the Jamaica Cancer Society carries out screening for cervical, breast and prostate cancer as well as selected diagnostic and treatment services. The Jamaica Cancer Society also provides mobile Pap Smear and Mammography screening services, as well as counselling and various outreach programmes. [41b]

KIDNEY DIALYSIS

- 22.35 There are at least twelve kidney dialysis centres across the island of Jamaica. Six of the centres are based in Kingston, three in Mandeville, three in Montego Bay and one in Ocho Rios. Of these, two are state run, the University Hospital of the West Indies (UHWI) in Kingston and the Cornwall Regional Hospital in Montego Bay, and nine centres are private. (Global Dialysis, accessed 2 December 2008) [16a]
- 22.36 The Jamaica Observer reported of hope for the people on Dialysis on 14 September 2009 as follows: “ An estimated 1,170 Jamaicans needing dialysis sessions at any given time now have Hope the dialysis treatment centre that officially opened its doors at 17 Latham Avenue in Kingston, last Thursday”, [24 September 2009]. The report noted that the inspiration to build came from the centre's chief executive officer, Marva Lewinson, when she realised the need for dialysis treatment for kidney patients in Jamaica. [36d]

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MENTAL HEALTH

22.37 The Jamaica Information Service, Ministry of Health accessed 17 September 2009, noted:

“The mental health services are delivered through a three-pronged system consisting of:

- A residential hospital – Bellevue Hospital
- Out-patient community mental health services at primary health care facilities island wide
- Residential out-patient rehabilitation units – Ken Royes Rehabilitation Centre.” [24d]

22.38 As mentioned in the WHO Country Profile Jamaica 2005, the following therapeutic drugs are available in Jamaica: Carbamazepine, Phenobarbital, Phenytoinsodium, Sodium Valproate, Amitriptyline, Chlorpromazine, Diazepam, Fluphenazine, Haloperidol and Lithium. [48a]

22.39 On the 4 June 2008 the Jamaica Information Service (JIS) reported that the Ministry of Health and Environment planned to develop a community-based mental health service. The Minister Rudyard Spencer informed: “The community-based service will be supported by an Emergency Crisis and Outreach Team and a Rehabilitative Service at the parish level at each Regional Hospital ...” [24u]

22.40 Following the above report, the JIS reported on an article from the Ministry of Health on 29 October 2008 that Community Mental Health Care is the way forward in Jamaica. “Community Mental Health Care, is more effective and cheaper to provide than institutional care, but in order to have a successful system, all the critical institutional services, must be available at the community level.” The report added that: “... there is an urgent need for specialised branches of psychiatric services, including forensic psychiatry, geriatric psychiatry, and child and adolescent disaster psychiatry.” [24z]

22.41 On 7 October 2008 the Jamaica Information Service reported that patients in need of mental health treatment should in the first instance “... utilise the services, offered by health centres and hospitals closer to their communities ...” [24v] Acting Director of the Mental Health Services at the Ministry of Health and Environment, Dr. Maureen Irons-Morgan continued: “While acknowledging that these health facilities may not be able to offer the level of mental health care that hospitals such as Bellevue, the University of the West Indies, the Kingston Public Hospital or the Cornwall Regional Hospital do, ... the first stop should not be at a hospital ...if the service is not yet offered at that facility, the individual will then be given a referral.” [24v]

22.42 On the 12 October 2008 the *Jamaica Gleaner* reported that the head of psychiatry at the University of the West Indies, Dr Wendel Abel urged for Bellevue, the country's largest and longest-running mental institution to be closed. Dr Abel stated: “...the 147-year-old Bellevue Hospital ... has become inefficient ... the method of locking away people living with mental disorders in a ‘human warehouse’ is no longer an accepted or effective way of treating mental illness.” Dr Abel proposed “...the establishment of small community group homes with a population of about 10-14 patients to replace the hospital.

... data show that there are more than 30,000 mentally ill persons in Jamaica, the majority of whom have been treated in a community-based setting.” [34ae]

- 22.43 On subject of Psychiatry in Jamaica, a report by the Royal College of Psychiatrists noted that: “Jamaica has one large mental hospital. Recent developments in community care have reduced the number of in-patients. Most patients with serious psychiatric illness live in the community, supported by their families and nurses with some psychiatric training. Substance abuse is a major problem, and the suicide rate is reported to have risen recently.” [89a]
- 22.44 An extensive report dated 2009 by the WHO provided details of mental health system in Jamaica and proposed work plan for 2009/10.

“Currently all Jamaicans have access to free health care in the public system, hence all persons in the population who need psychotropic medication have access. or those that pay out of pocket, the cost of antipsychotic medication such as Haloperidol (15mg/day) is J\$113 per day (5% of the one daily minimum wage) and antidepressant medication such as Amitriptyline (75mg/day) is J\$3.96 per day (1% of the daily minimum wage). In addition all severe and some mild mental disorders are covered in social insurance schemes.”

“The Mental Health Unit has on its 2009/10 work plan the activity to review and revise the Mental Health Policy which will include among other things the following components:

- Involvement of users and families.
- Advocacy and promotion.
- Human rights protection of users.
- Equity of access to mental health services across different groups.
- Financing.
- Quality improvement.
- Monitoring system.” [48b]

Further information on health can be accessed via the following weblink: [ministry of health](#), Ministry of Health Focuses on Healthy Jamaicans in Healthy Environment, 2 April 2009 [40a] Access to the full extensive report can be located via the following weblink: [WHO - Mental Health](#)

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23. HUMANITARIAN ISSUES

- 23.01 An Amnesty International report dated January 2008 stated: "With poverty and public security being key human rights concerns, Jamaicans face challenges that are replicated among many of the world's nations, especially in the developing world. [3e]
- 23.02 Jamaica Outreach reported on its undated website of the various services it provides to the poor in Jamaica.

"Jamaica Outreach Program which began in 1997 is a public charity whose mission is to build solidarity with the poor and indigent people of Jamaica, through sister-parish and other strategic relationships. No matter the religious affiliation, no matter the personal history, age, or race, the Jamaica Outreach Program pledges to support the outreach ministries of charitable Jamaican organizations through donations of funds, material goods, and professional services." The report added that the public charity status" [69a]

Additional information can be accessed via the following weblinks:
[USSD report for 2008 \[8a\]](#), [Amnesty International 2009 report](#), [9a]

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24. FREEDOM OF MOVEMENT

- 24.01 Reporting on freedom of movement, the US State Department Report on Human Rights Practices 2008 (USSD 2008), published on 25 February 2009, noted that: "The law provides for freedom of movement within the country, foreign travel, emigration, and repatriation, and the government generally respected these rights in practice." [8a] (Section 2d, p5)

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25. CITIZENSHIP AND NATIONALITY

- 25.01 Under Chapter 2 of the 1962 Constitution, any person who was born in Jamaica and was a citizen of the United Kingdom and Colonies prior to 5 August 1962, became a citizen of Jamaica on 6 August 1962. All persons born in Jamaica after independence would automatically gain Jamaican citizenship. Persons born outside Jamaica to Jamaican parents, who would have qualified for citizenship on 6 August 1962, can become Jamaican citizens. Any person who marries a Jamaican can be registered as a citizen of Jamaica. (Jamaica Constitution Order in Council, 1962) [2a] (Sections 3-12)
- 25.02 The Constitution also states that the Governor-General is empowered to deprive of Jamaica citizenship persons who have acquired legal rights or the citizenship of another country by registration, naturalisation or other voluntary and formal acts (other than marriage). (Jamaica Constitution Order in Council, 1962) [2a] (Section 8)
- 25.03 The US State Department Travel Information for Jamaica last updated 13 October 2009, noted: that dual nationality was recognised under Jamaican law. [8b] The Constitution and Rights provided a list on citizenship and recorded that: "Jamaica recognizes Dual Citizenship. Only the Governor General of Jamaica can deprive a Jamaican of his/her Jamaican citizenship. The mere act of renunciation of Jamaican nationality in the naturalization process to become a U.S. Citizen does not deprive the Jamaican of his/her Jamaican citizenship. It is not contrary to U.S. Law to have both a Jamaican Passport and a U.S. Passport." [98a],

Further information about Citizenship and Nationality can be found via the following U S Department weblink: [US Department - travel](#) and [Dual Citizenship](#)

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26. OFFICIAL DOCUMENTATION

Forged and fraudulently obtained documents

- 26.01 The Jamaica Gleaner, reported on 29 July 2002 that a new tamper-proof machine-read passports had been introduced to the passport office which was causing an increasing number of persons to make fraudulent documents. The report stated that the Passport Office had alerted Justices of the Peace (JPs) of fraudulent documents being submitted with application forms, asking them to ensure they know applicants for the requisite minimum one year period before affixing their signatures to documents. The report quoted the Passport Office's customer services manager as saying since "the introduction of the new tamper-proof machine-read passports, an increasing number of persons were now coming forward with fraudulent documents", and that "the integrity of the JPs, whose signatures were affixed to these fraudulent applications, was now in question." [34m]

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27. EXIT/ENTRY PROCEDURES

27.01 "No exit visas are required to leave Jamaica. However, a child leaving the country with a person other than a parent needs written authorisation from one parent. This authorization requires certification from the Jamaican immigration office before minors may exit the country." (US Department of State – travel, Jamaica, accessed 15 September 2009) [8e]

27.02 The US State Department Travel Information for Jamaica last updated 13 October 2009, noted: the following entry/exit requirements for Jamaica:

"Starting June 1, 2009, all travellers must present a Western Hemisphere Travel Initiative (WHTI) compliant document such as a passport or a passport card for entry to the United States. While passport cards and enhanced driver's licenses are sufficient for entry into the United States, they may not be accepted by the particular country you plan to visit; please be sure to check with your cruise line and countries of destination for any foreign entry requirements."

"Visitors must have a return ticket and be able to show sufficient funds for their visit. U.S. citizens travelling to Jamaica for work or extended stays are required to have a current U.S. passport and visa issued by the Jamaican Embassy or a Jamaican Consulate. There is a departure tax for travellers, which is regularly included in airfare." [8b]

Treatment of returned failed asylum seekers

27.03 On 22 July 2007 *The Jamaica Gleaner* reported that 63 persons had benefited from assistance provided by International Office of Migration (IOM). The article stated: "Since 2003, the IOM has opened offices in Kingston and has been quietly helping returnees find jobs, start small businesses and further their education..." the article pointed out that any Jamaican who had applied for asylum and are awaiting a decision, those who had been refused asylum and are appealing and those who have been granted exceptional leave to remain or those who have been given humanitarian protection would qualify for IOM assistance. [34am]

Deportation of Foreign National Prisoners

27.04 On the 31 October 2008 the *Jamaica Gleaner* reported that the British Government would assist Jamaican local authorities to reintegrate its foreign national prisoners. The article stated: "On average, approximately 23 per cent of 1,800 offenders released from correctional facilities annually are convicted for another offence within two years as most do not have access to rehabilitative care." The J\$345 million three year programme funded by the British government will enhance the abilities of the Ministry of National Security, the Department of Correctional Services and civil society. [34ak]

27.05 *The Telegraph* reported on 15 July 2009 that an appeal by a Jamaican drug dealer against deportation on the basis that it infringes her human rights because she is a lesbian is unfounded and is "no more than a ruse to remain in the UK." The woman was convicted in 2005 of conspiracy to supply class A drugs and was sent to prison, where she had a string of lesbian relationships

with fellow inmates, the report noted. Carine Patry Hoskins, the representing officer for the case pointed out that the claimant had previously had heterosexual relationships and that it was a former boyfriend who introduced her to drugs and that “her new relationship was in fact ‘part and parcel of a campaign to be allowed to stay in the UK’.”

“Mr Chelvan, the defending officer said that his client was a lesbian and was in danger of persecution should she be returned to Jamaica. He said his client now aged 24 met the woman she says she loves while they were both serving time at HMP Downview, in Surrey.

“Mr Chelvan said his client was ‘lost and frightened’ when she left Jamaica as a teenager, but is now more confident about who she is, and has had at least six lesbian lovers. She is in danger of being killed by criminal gangs in Jamaica if she returns home, he added, arguing that one of her co-accused in the drug offences has said she will tell people on the island about her lesbianism.” [14b]

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Annex A: Chronology of major events

- 1655** Britain captured Jamaica.
- 1670** Jamaica formally ceded to Britain.
- 1838** Slavery abolished.
Norman Manley founded the People's National Party (PNP).
- 1944** Universal adult suffrage introduced; new constitution providing for a popularly-elected House of Representatives promulgated.
- 1962** Jamaica became independent within the Commonwealth with Alexander Bustamante of the Jamaica Labour Party (JLP) as Prime Minister.
- 1972** The PNP won the general election and Michael Manley becomes Prime Minister.
- 1976** The PNP won another election.
- 1980** The JLP won the general election and Edward Seaga is elected Prime Minister. Seaga proceeded to privatise state enterprises.
- 1989** Michael Manley was elected Prime Minister after PNP ousts the JLP in elections.
- 1992** Michael Manley retired on health grounds and is succeeded by Percival Patterson as the Prime Minister and the leader of the PNP.
- 1993** The PNP returned to office with an increased majority.
- 1998** The PNP won a third term in office amid increasing crime and deteriorating economy.
- 1999** **April:** violent protests took place against a 30 per cent increase in fuel prices. In July the Government ordered the army to patrol the streets of Kingston following a massive increase in crime.
- 2001** **July:** Troops backed by helicopter gunships, tanks and armoured vehicles moved in to restore order in capital, Kingston, after three days of unrest left at least 27 people dead.
- 2002** **January:** The authorities announced that more than 1,100 people were murdered in Jamaica in 2001. This showed an increase of 30 per cent over the previous 12 months, and the highest ever recorded in a single year.

March: Britain's Privy Council, decided to halt executions in a number of Caribbean countries where capital punishment has widespread support as a deterrent to rising violent crime. Prime Minister P. J. Patterson criticised the move.

- October 16:** The People's National Party was re-elected for the fourth term in the general election. This was the third consecutive election victory for Prime Minister Patterson.
- 2003 January:** UK introduced visa regime for Jamaicans entering the UK; London says the move is intended to tackle illegal immigration.
- 2004 March:** Ousted former Haitian president Jean-Bertrand Aristide arrived in Jamaica, prompting angry response from new Haitian government.
- 2004 September:** Hurricane Ivan described as the biggest in living memory pounded the island, destroying thousands of homes.
- 2004 End:** Gang rivalry, drugs trade contribute to high murder rate. 1,145 murders in 2004.
- 2005 September:** Prime Minister PJ Patterson says he will step down by April 2006.
Opposition leads a day of protest over price increases for utilities and public transport.
- 2005 End:** More than 1,600 murders in 2005.
- 2006 February:** Local government minister Portia Simpson Miller is elected as head of the ruling People's National Party. She succeeds PJ Patterson to become Jamaica's first female PM in March [2006].
- 2006 October:** Government survives a confidence vote in parliament over the ruling party's acceptance of a campaign donation from a Netherlands-based oil company.
- 2007 September:** Jamaica Labour Party wins general elections.
- 2007 December:** Murder rate up 17 per cent on 2006.
- 2008 August:** The battle for the vice presidency of the People's National Party officially commenced.
- 2008 September:** The Prime Minister Bruce Golding completes his first year in office to mixed reviews.
Portia Simpson Miller re-elected as president of the Peoples National Party
- 2008 November:** Parliament votes to keep the death penalty, as Jamaica struggles to contain one of the world's highest murder rates.
- 2009 January:** Governor-General Kenneth Hall resigns, citing health reasons. Patrick Allen, president of the Seventh Day Adventist union, will take up the job in February [2009].
- August:** Jamaica's government received an extradition request for Christopher 'Dudus' Coke (40). By late October it had only responded with requests for more information about the gun and drug trafficking charges against the reputed gang leader. Coke, the alleged leader of the 'Shower Posse' gang, is charged in the US Southern District of New York with

conspiracy to distribute cocaine and marijuana and conspiracy to illegally traffic in firearms.

September: John A. Terry (65), Britain's honorary consul in Montego Bay, was found strangled in bed with a note denouncing him as a homosexual.

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Annex B: Political organisations

People's National Party (PNP) www.pnpjamaica.com

Founded in 1938; Socialist principles; affiliated with the National Workers' Union.

President: Portia Simpson-Miller.

General Secretary: Donald Buchanan.

Vice Presidents: Angella Brown-Burke. [5b]

Jamaica Labour Party (JLP) www.thejlp.org

Founded in 1943. Supports free enterprise in a mixed economy and close co-operation with the USA.

Leader: Bruce Golding.

Chair: Ken Baugh.

General Secretary: Karl Samuda. [5b]

National Democratic Movement (NDM) www.ndm4jamaica.org

Founded in 1995; advocates a clear separation of powers between the central executive and elected representatives; supports private investment and a market economy. Member of the New Jamaica Alliance.

President: Earl Delisser.

Chair: Hugh Thompson. [5b]

Jamaica Alliance Movement (JAM)

Founded 2001; Kingston based; Rastafarian.

President: Astor Black. [5b]

Jamaica Alliance for National Unity (JANU)

Founded in 2002. Member of the New Jamaica Alliance.

Chair: Rev. Al Miller. [5b]

United People's Party (UPP)

Founded in 2001.

President: Antoinette Haughton Cardenas.

General Secretary: Horace Matthews. [5b]

Republican Party of Jamaica (RPJ)

Kingston based; Member of the New Jamaica Alliance.

Leader: Denzil Taylor. [5b]

Natural Law Party

Founded 1996.

Leader: Dr Leo Campbell. [5b]

Imperial Ethiopian World Federation Party (I.E.W.F. Inc).

Launched on 16 July 1997 and first entered the Jamaican political arena in the 1997 General Election with five candidates. It was launched to represent the Rastafarian community in the Jamaican Parliament and the Grassroot people. [51a]

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Annex C: Prominent people

Kenneth Baugh

In September 2007 Dr Kenneth Baugh was officially named Deputy Prime Minister and Minister of Foreign Affairs and Foreign Trade following the JLP's victory in the September 2007 national elections. [34v]

Bruce Golding

In September 2007 Bruce Golding was officially named Prime Minister and Minister of Planning, Development and Defence following the JLP's victory in the September 2007 national elections. [34v]

Michael Manley

Became Prime Minister in 1972 following an impressive victory by the PNP in the general elections. Succeeded by JLP's Edward Seaga in 1980. Returned as Prime Minister following the 1989 elections but retired in 1992 on health grounds and was succeeded by P.J. Patterson.[21c] Michael Manley died on 7 March 1997. [82a]

Percival J Patterson

The PNP held office from February 1989 to September 2007, under Prime Minister PJ Patterson for an unprecedented 4 terms between 1992 and 2006. [6a] Retired in 2006 after 14 years in office. [21b]

Portia Simpson-Miller

New president of PNP as of 27 February 2006. [34c] Inaugurated as Prime Minister on 30 March 2006. [21b] In the September 2007 national elections the PNP narrowly lost to the JLP and Bruce Golding took over the role of Prime Minister from Simpson-Miller. [21a]

Edward Seaga

JLP leader and Prime Minister between 1980 and 1989. [21c] Mr Seaga's resignation as leader of the JLP took effect on 19 January 2005. He assumed a senior post in the Department of Government at the University of the West Indies. [34ay]

Hilaire Sobers

Human rights activist and lawyer and writes a weekly column on human rights for *The Jamaica Observer*. He is an outspoken critic of the government's human rights record. He has been highly critical of the authorities' failure to prevent extrajudicial executions by the security forces and other abuses. [9c]

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Annex D: List of abbreviations

AI	Amnesty International
CCJ	Caribbean Court of Justice
CEDAW	Committee on the Elimination of All Forms of Discrimination Against Women
DFID	Department for International Development
FCO	Foreign and Commonwealth Office (UK)
FH	Freedom House
GDP	Gross Domestic Product
HIV/AIDS	Human Immunodeficiency Virus/Acquired Immunodeficiency Syndrome
HRW	Human Rights Watch
IJCHR	Independent Jamaica Council for Human Rights (1998) Limited
IMF	International Monetary Fund
IOM	International Organization for Migration
ISCF	Island Special Constabulary Force
JAS	Jamaica AIDS Support
JCF	Jamaica Constabulary Force
JDF	Jamaica Defence Force
JFLAG	Jamaica Forum for Lesbians, All-Sexuals and Gays
JLP	Jamaica Labour Party
NAC	National AIDS Committee (Jamaica)
NGO	Non Governmental Organisation
PAHO	Pan American Health Organization
PLWHA	People living with HIV/AIDS
PNP	People's National Party
RSF	Reporteurs sans Frontières
STD	Sexually Transmitted Disease
STI	Sexually Transmitted Infection
TB	Tuberculosis
TI	Transparency International
UN	United Nations
UNAIDS	Joint United Nations Programme on HIV/AIDS
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
USAID	United States Agency for International Development
USSD	United States State Department
WHO	World Health Organization

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