



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

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

Pre-session working group

Thirty-sixth session

7-25 August 2006

**List of issues and questions with regard to the
consideration of periodic reports**

Jamaica

The pre-session working group examined the fifth periodic report of Jamaica (CEDAW/C/JAM/5).

General

1. Please provide information on the process of preparing the fifth periodic report. This information should indicate which Government departments were involved and the nature and extent of their participation, whether consultations were held with non-governmental organizations, and whether the report was adopted by the Government and presented to Parliament.

**Constitutional, legislative and institutional framework and status
of the Convention**

2. The report points out that the Constitution does not prohibit discrimination on the grounds of sex. Please provide the Committee with updated information on the steps being taken to include a definition of discrimination against women in line with article 1 of the Convention in the Constitution or other national legislation. This should include information on the status of the charter of rights bill (para. 45), a time line for its adoption, and how its enactment will affect other legislation and policy.

3. According to the report (para. 49), the Bureau of Women's Affairs has undertaken a comprehensive review of 42 pieces of legislation in an attempt to address the modification of customs and practices that have resulted in discrimination against women, such as sexual harassment in the workplace, and to address gaps through proposed legislation. The review included the Employment (Equal Pay for Men and Women) Act 1975; the Women (Employment of) Act 1942;

the Domestic Violence Act 1995; the Incest (Punishment) Act 1948; and the Offences Against the Person Act 1864, among others. Kindly update the Committee on action taken in regard to this review.

4. The report, in paragraph 61, states that “steps including legislation continue to be taken to encourage the full integration of women in the development process ...”. Please provide a detailed account of these steps, including an update on the status of the Family Property (Rights of Spouses) Bill 1999. The response should include information about the formulation of new policies and legislation regarding women’s development and advancement and the time lines for their enactment and implementation.

Stereotypes and education

5. As noted with concern by the Committee in its previous review of Jamaica’s reporting,¹ and reflected in the State’s current report, stereotypical and discriminatory attitudes about women persist, and continue to be institutionalized. The report notes, with regard to the educational system, that boys and girls are effectively prevented from pursuing courses of education deemed inappropriate for their gender by the structuring of timetables, queuing, registration, etc., and that stereotypes are perpetuated through the portrayal of women in educational materials. Please elaborate on measures that have been taken to eliminate gender stereotypes in the educational system, including revisions of textbooks, increasing access to all courses of study and measures to train teachers on integrating gender perspectives.

6. The report notes that negative stereotypes of women are prevalent and that lyrics in dance-hall music “typically glorify violence and demean women, often depicting them as subjects of male aggression and objects of sexual gratification” (para. 84). Information is provided regarding initiatives designed to address this issue, but it is not clear from the report whether these initiatives are being undertaken solely by non-governmental organizations or in partnership with Government agencies. Please elaborate on these initiatives, whether any assessment has been made of their effectiveness, and whether they were undertaken (or planned) in collaboration between non-governmental organizations, the Government and other concerned actors, such as media.

7. The Special Rapporteur on the right to education indicated in her 2004 annual report (E/CN.4/2004/45) that Jamaica had school fees for public primary education. However, the fifth periodic report of Jamaica states that legislative measures are in place to provide for free compulsory education for students between the ages of 6 and 11. Please clarify whether school fees affect students, particularly girls, after age 11, and if so, provide statistical evidence as to the impact of these fees on girls’ access to education if applicable.

8. Please provide more comprehensive information on the Statement for National Policy for Family Life and Education in Jamaica (1994) issued by the Ministry of Education, Youth and Culture, mentioned in paragraph 175. Specifically, indicate whether it has been implemented, and the results of any impact assessment that may have been undertaken.

¹ *Official Records of the General Assembly, Fifty-sixth Session, Supplement No. 38 (A/56/38)*, part one, paras. 195-233.

Violence against women

9. Since Jamaica has ratified the Inter-American Convention for the Prevention, Punishment and Eradication of Violence against Women, please indicate what measures have been taken or mechanisms established to ensure implementation and monitoring.

10. The report notes that crime and violence continued to plague society. In 2002, over 120 women and children were murder victims, violence against women ranked high, and sexual abuse and domestic violence were prevalent (para. 102). Kindly indicate the steps taken at the highest level of Government to counteract a climate where violence against women continues to be pervasive.

11. According to the report, female adolescents (ages 10 to 14 and 15 to 19) have a disproportionately higher rate of HIV infection than boys, which is “cause for much concern as it relates to ... sexual and reproductive health and issues of gender-based violence” (para. 245). Please provide specific information on any initiatives, including awareness-raising campaigns, being implemented by the Government to target this specific age group with regard to prevention of early sexual activity and gender-based violence, and statistics evidencing their effectiveness.

Trafficking and exploitation of prostitution

12. The report indicates that there is no legislation to tackle sex tourism (para. 91) and that commercial sexual exploitation of women and girls exists. According to the report, the International Labour Organization has conducted studies, policies have been suggested, and an inter-agency approach was called for in order to better address this problem. The report does not outline any concrete steps taken by the State party towards adopting or implementing policies or legislation on the issue. Please provide detailed information to this end, including information on any campaigns or measures to address sex tourism.

Participation in political and public life

13. The report states that there are currently no “temporary special remedies” being considered or implemented to address women’s underrepresentation in political and public life (para. 122) despite prior Committee recommendations that the Government implement such measures. Please indicate the reasons why the Government is not making use of temporary special measures in line with article 4, paragraph 1 of the Convention and the Committee’s general recommendation 25, and provide detailed information regarding efforts that the Government is taking to encourage women’s participation in political and public life, and capacity-building efforts to this end.

Employment

14. Please provide updated statistical information disaggregated by sex on women’s labour force participation vertically and horizontally across sectors including any differentials in wages and benefits.

15. Please provide information regarding the review of labour-related laws vis-à-vis the provision of flexible working conditions, and whether Parliament has taken any action on proposals made by the Labour Advisory Committee aimed at bringing legal provisions in line with international trends and local realities.

16. The unemployment for women rate is higher than men's despite women's educational achievement. The report also provides some information about the continuing horizontal job segregation, but little information is provided about women's overall situation in the labour market, and trends over time. Kindly provide such information.

17. The report, in paragraph 188, states that "the policy exists that advertisement for vacant positions should not stipulate any particular sex". Please clarify whether gender discrimination in employment is expressly prohibited by law, and if not, whether there are any proposals to address this.

18. In its most recent review of Jamaica's periodic reporting, the Committee called upon the Government to revise the Maternity Leave with Pay Act 1979. Please provide the Committee with updated information pertaining to this legislation, and in general to maternity and paternity leave, both of which were indicated in the report as being under review.

Health

19. According to the report, the Bureau of Women's Affairs has reviewed the national strategic plan on HIV/AIDS and sexually transmitted infections for 2002-2006, and has provided feedback to the Government in order to ensure that the plan incorporates appropriate gender perspectives. Please provide the Committee with the comments submitted by the Bureau and describe the steps being taken to incorporate these suggestions, with a time line for implementation.

20. The report states that "the State provides few reproductive health programmes or services specifically geared towards adolescents" (para. 262). Please provide information on attempts made, if any, to explicitly target adolescents in the National Family Planning Act and the Revised Population Policy Statement, including efforts to reduce teenage pregnancy rates. Please also provide information on other steps taken by the Government in this regard.

21. In paragraph 240 of the report, there is discussion of interventions at the policy and programmatic levels which specifically target women and girls in an attempt to combat sexually transmitted infections, in particular HIV/AIDS. Please provide the Committee with detailed information on all pertinent policies and programmes, and the impact of these interventions.

22. Kindly provide the Committee with information relating to steps that have been taken to formulate a clear policy, supported by legislation, on the issue of abortion. Further, please indicate whether any assessment has been undertaken with regard to the prevalence of unsafe abortion and its effects.

23. Please provide the most recent data on maternal mortality ratio, the causes of maternal death and the steps being taken by the Government to reduce maternal deaths.

Poverty

24. Please provide the Committee with more information on the impact of poverty on women. Indicate what programmes have been initiated since the last review to mitigate the feminization of poverty and what special measures are being taken to

mainstream a gender perspective in the Government's poverty eradication programme.

Social and economic benefits, rural women

25. The report notes that the Government, along with international donor agencies, has been working to achieve the economic empowerment of women, especially rural women. Please provide the Committee with detailed information regarding the scope and impact of these initiatives, specifically addressing the stated objectives as listed in the report.

26. Please provide updated information, disaggregated by sex, age and socio-economic status, on the situation of rural women in relation to their occupations, livelihoods, income levels and access to productive resources.

Gender mainstreaming

27. The Committee, in its previous review of Jamaica's periodic reporting, requested that further information on the gender monitoring checklist be included in the present report.² Please provide the Committee with more detailed information regarding the structures through which gender mainstreaming is conceived and its effectiveness. Please also provide information on the implementation of a gender mainstreaming programme by the Government, including those initiatives indicated in table 25 of the fifth periodic report, and provide quantitative data on the scope and impact of all initiatives.

Optional Protocol

28. Please indicate any progress made with respect to the ratification of the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women.

² Ibid., para. 222.