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Universal periodic review

## Report of the Working Group on the Universal Periodic Review\*

### Jamaica

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\* The annex is being circulated without formal editing, in the language of submission only.



## Introduction

1. The Working Group on the Universal Periodic Review, established in accordance with Human Rights Council resolution 5/1, held its thirty-sixth session from 2 to 13 November 2020. The review of Jamaica was held at the 16th meeting, on 11 November 2020. The delegation of Jamaica was headed by the Minister of Foreign Affairs and Foreign Trade, Kamina Johnson Smith. At its 17th meeting, held on 13 November 2020, the Working Group adopted the report on Jamaica.
2. On 14 January 2020, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of Jamaica: Angola, Fiji and Venezuela (Bolivarian Republic of).
3. In accordance with paragraph 15 of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21, the following documents were issued for the review of Jamaica:
  - (a) A national report submitted/written presentation made in accordance with paragraph 15 (a) (A/HRC/WG.6/36/JAM/1);
  - (b) A compilation prepared by the Office of the United Nations High Commissioner for Human Rights (OHCHR) in accordance with paragraph 15 (b) (A/HRC/WG.6/36/JAM/2);
  - (c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/36/JAM/3).
4. A list of questions prepared in advance by Angola, Canada, Costa Rica, Germany, Liechtenstein, Portugal, on behalf of the Group of Friends on national mechanisms for implementation, reporting and follow-up, Slovenia, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Uruguay was transmitted to Jamaica through the troika. These questions are available on the website of the universal periodic review.

## I. Summary of the proceedings of the review process

### A. Presentation by the State under review

5. In its introductory remarks, Jamaica noted that the Constitution guaranteed all its citizens the protection of their rights regardless of colour, class or creed. In 2011, the Charter of Fundamental Rights and Freedoms had replaced chapter III of the Constitution, expanded these rights, and inculcated respect for human rights at all levels of society by holding all persons, including the State, accountable.
6. Jamaica indicated that the coronavirus disease (COVID-19) pandemic had exacerbated many of the socioeconomic development challenges and furthermore threatened to impede the efforts that were under way at the national and global levels to achieve the Sustainable Development Goals. Prior to the pandemic, the country's reform programme to stabilize the economy, reduce debt and fuel economic growth and job creation had begun to reap significant dividends. Due to the pandemic, the economy was expected to contract by 5 per cent, unemployment had risen, and government revenues had declined, whereas expenditures needed to rise in order to address the emergency.
7. Jamaica stated that it was continuing to implement the Vision 2030 Jamaica national development plan, of 2009, which was fully aligned with the Sustainable Development Goals and the 2030 Agenda. The Government had also implemented strategies to lower the country's crime rates, boost economic growth and environmental sustainability, and reduce the rate of chronic non-communicable diseases, as well as poverty levels, particularly rural and child poverty.

8. With regard to press freedom, Jamaica indicated that it had ranked sixth in the world and had remained first in the Western Hemisphere, according to the 2020 Reporters Without Borders World Press Freedom Index.

9. With regard to consultative processes, an Interministerial Committee on Human Rights had been established in 2018 to facilitate dialogue among a wide range of stakeholders, including civil society representatives, and to implement the obligations of Jamaica under various human rights treaties and the related reporting activities to treaty bodies.

10. In regard to international norms, and since the previous universal periodic review cycle, Jamaica had ratified the Domestic Workers Convention, 2011 (No. 189), in 2016, acceded to the Hague Convention on the Civil Aspects of International Child Abduction, in 2017, signed the Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean, in 2019, and ratified the Treaty on the Prohibition of Nuclear Weapons, in October 2020.

11. On the topic of gender equality, Jamaica continued with the 2011 National Policy for Gender Equality and adopted an inclusive approach, which focused on men and women, to combat gender-based violence, advance gender equality and promote economic balance and growth. The National Strategic Action Plan to Eliminate Gender-based Violence had a strategic focus on victims, survivors, perpetrators and witnesses of acts of violence. Jamaica was also in the process of setting up regional shelters that would provide a safe haven for women fleeing situations of domestic abuse. One already completed was a child-friendly shelter. In addition, Jamaica stated that it was implementing several programmes to promote gender equality and the empowerment of women, as well as to improve the number of women in leadership and decision-making positions.

12. On human rights education and training, Jamaica stated that the Ministry of National Security was developing the Law Enforcement (Protection of Integrity) Act to define the standards of operation for all individuals engaged in law enforcement activities – and to include consideration for human rights and further enhance public confidence in law enforcement agencies. The Government was also promulgating a Less Lethal Weapons Policy to regulate access to less lethal devices (e.g. pepper sprays and electroshock weapons), thereby reducing the potential for excessive use of force.

13. With regard to conditions of detention, Jamaica indicated that it was developing an offender management policy in order to: (a) modernize the legislative framework governing the operations of the Department of Correctional Services; (b) improve the processes and procedures relating to the care and management of offenders; (c) facilitate the expansion of rehabilitation and reintegration programmes; and (d) increase compliance with the country's acts and regulations, and further align them with international conventions, laws and best practices.

14. On prohibition of slavery and trafficking, Jamaica indicated that the National Task Force against Trafficking in Persons continued to operate as an interministerial group, and included non-governmental organizations in its membership; it was focused on preventing and suppressing trafficking in persons, investigating and prosecuting offenders, and protecting and providing assistance to victims of trafficking. In addition to its ratification of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (Palermo Protocol), Jamaica was focusing on strengthening the national and legislative framework for the elimination of trafficking, including through amendments to the Trafficking in Persons (Prevention, Suppression and Punishment) Act in 2018 to allow human trafficking cases to be tried before a judge alone. Jamaica had also amended the Child Care and Protection Act to increase the sentence from 10 to 20 years of imprisonment for the sale or trafficking of a child.

15. On the matter of the right to education, the Government was focusing on standardizing the curriculum and enhancing the framework and systems for assessment from the early childhood to the secondary levels of education. Several new schools had been established and existing ones upgraded. Particular attention was paid to the needs of the most vulnerable.

16. With regard to the protection of children, Jamaica indicated that in 2015 the Break the Silence campaign had been launched to encourage the public, especially children, to report all known or suspected cases of abuse, as well as to encourage adults and children to refrain from abusing children. Several other programmes had been launched to end violence against children, and greater emphasis was being placed on Living in Family Environment programmes as an alternative to residential care. Family and children's courts were tasked with taking decisions and enforcing provisions relating to the protection and well-being of children from birth to the age of 18, along with children's officers who had the responsibility of representing the rights of children brought before these courts.

17. In regard to juvenile justice, Jamaica stated that the Child Diversion Act had been passed in 2018 to provide alternative means for dealing with children in conflict with the law, such as being admitted into a child diversion programme – instead of instituting criminal proceedings against children. The Ministry of Justice had established a Child Diversion Office to oversee the implementation of the Act. The Child Diversion Office was responsible for the rehabilitation of children in conflict with the law, in consultation with the National Child Diversion Oversight Committee and the child diversion committees established in each parish. The Ministry of Justice was currently in the process of setting up justice centres in each parish, in compliance with the Child Diversion Act, five of which were already in full operation.

18. With regard to persons with disabilities, Jamaica stated that, further to the passage of the Disabilities Act in 2014, new adapted schools had been built and reforms had been made in older schools to provide access for students with disabilities.

19. On the matter of the right to development, Jamaica highlighted the advancement of the climate change agenda at the national level through a range of policy initiatives, as well as the implementation of strategic prevention, adaptation, mitigation and resilience-building projects and programmes. These projects and programmes sought to comprehensively strengthen climate change adaptation and build resilience in coastal and human settlements, and particularly in key sectors such as water, tourism, health and agriculture. In addition, Jamaica had ratified the Paris Agreement in 2017 and deposited its instrument of acceptance of the Doha Amendment to the Kyoto Protocol in 2020.

20. The representative of Jamaica reiterated the country's commitment to implementing the agreed recommendations of the universal periodic review, for the purpose of protecting the human rights of the citizens of Jamaica and upholding demonstrable respect for the rule of law. She also underlined the specific challenges that the country was facing, such as vulnerability to external shocks as the current pandemic was jeopardizing the ability of Jamaica to implement the full range of measures.

## **B. Interactive dialogue and responses by the State under review**

21. During the interactive dialogue, 70 delegations made statements. Recommendations made during the dialogue are to be found in section II of the present report.

22. Ghana commended the adoption and implementation of the National Strategic Action Plan to Eliminate Gender-based Violence (2017–2027) and the commencement of implementation of the National Poverty Reduction Programme, of 2018, in Jamaica.

23. Greece recognized the progress achieved by Jamaica since the previous review, notably by means of the 10-year National Strategic Action Plan to Eliminate Gender-based Violence and the launch and implementation of the Spotlight Initiative against family violence.

24. Guyana applauded the progress achieved by Jamaica on human rights within the framework of the Vision 2030 Jamaica national development plan. Guyana welcomed the establishment of the Interministerial Committee on Human Rights for reporting and follow-up.

25. Haiti noted the efforts made by Jamaica to improve the living conditions of all communities. It commended the measures taken by Jamaica aimed at fighting poverty, reducing inequality and implementing the Vision 2030 Jamaica national development plan.
26. Honduras congratulated Jamaica on the results it had obtained in implementing previous universal periodic review recommendations, and particularly on having acceded to the Hague Convention on the Civil Aspects of International Child Abduction.
27. Iceland welcomed the national report and the steps taken in implementing previous universal periodic review recommendations.
28. India commended the continued cooperation of Jamaica with United Nations human rights mechanisms. India took note with appreciation of the Vision 2030 Jamaica national development plan and of the National Poverty Reduction Programme of 2017. It commended the efforts made to mitigate climate change.
29. Indonesia welcomed the improvement made by Jamaica in advancing women's rights and gender equity, as reflected in the increase in women's representation in government, and the progress made by relevant institutions promoting the gender-mainstreaming agenda.
30. The Islamic Republic of Iran thanked Jamaica for its constructive engagement in the universal periodic review process and commended Jamaica for the promotion and protection of human rights in the country.
31. Iraq welcomed the efforts made by Jamaica to combat poverty and implement the national human development plan for 2030, and called for continued efforts to combat child trafficking.
32. Ireland commended Jamaica on the approval by both Houses of Parliament to amend the Sexual Offences Act to ensure that marital rape in all circumstances was a criminal offence, and looked forward to the completion of the legislative process.
33. Italy commended Jamaica for adopting national plans to implement reforms in the judiciary. Italy welcomed the establishment of the Gender Advisory Council and the adoption of the National Strategic Action Plan to Eliminate Gender-based Violence.
34. Japan highly appreciated the positive steps taken by Jamaica to protect and promote the rights of women, including the launch of the Gender Equality Seal programme aimed at empowering women.
35. Kenya commended Jamaica for its national report and for the efforts made to promote and protect human rights in the country, as well as for its commitment to ratifying international human rights treaties.
36. Malaysia noted the measures taken by Jamaica to address trafficking in persons, including the appointment of a National Rapporteur on Trafficking in Persons, and encouraged Jamaica to further strengthen its efforts in this regard.
37. Maldives was encouraged by the commitment of Jamaica to climate change adaptation and mitigation and commended the establishment of the National Task Force against Trafficking in Persons.
38. The Marshall Islands noted the progress of Jamaica since its last review, including the establishment of the Gender Advisory Council in 2018. The Marshall Islands urged Jamaica to continue its efforts to address environmental matters at all levels.
39. Mauritius commended Jamaica for its national development plan, its climate change resilience programmes, and its awareness campaigns. Mauritius was also impressed by the significant efforts of Jamaica to combat trafficking in persons.
40. Mexico acknowledged the efforts by Jamaica to strengthen the protection of women, girls and boys against violence. It encouraged Jamaica to continue participating in initiatives such as Spotlight and the Global Partnership to End Violence against Children.
41. Montenegro welcomed the cooperation of Jamaica with the United Nations human rights mechanisms. It encouraged Jamaica to establish a national human rights institution in

line with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles).

42. Morocco noted with satisfaction the special attention that Jamaica had dedicated to development issues, through the establishment of the Vision 2030 Jamaica national development plan, and to the protection of the rights of women and children.

43. Myanmar acknowledged the efforts undertaken by Jamaica to implement the recommendations received during the previous review. It commended Jamaica on the adoption of the National Poverty Reduction Programme and the National Strategic Action Plan to Eliminate Gender-based Violence.

44. Namibia commended Jamaica for the human rights-related legislative and institutional initiatives that it had undertaken since the previous review, which had included, inter alia, the establishment of the Interministerial Committee on Human Rights.

45. Nepal commended Jamaica for its progress in the climate change agenda, including through the establishment of institutional mechanisms and legal frameworks on climate change adaptation, resilience and mitigation.

46. The Netherlands commended Jamaica for the launch of the 10-year National Strategic Action Plan to Eliminate Gender-based Violence. It remained concerned about the rights of lesbian, gay, bisexual, transgender and intersex persons and noted that Jamaica criminalized consensual same-sex relationships.

47. Niger appreciated the inclusive and participatory approach that had guided the writing of the national report of Jamaica and welcomed the progress made in promoting human rights. It welcomed the adoption of the National Poverty Reduction Programme.

48. Nigeria commended Jamaica for its continued cooperation with the universal periodic review and other human rights mechanisms. Nigeria noted positively the measures adopted by Jamaica to combat gender-based violence, ensure poverty reduction and address the effect of climate change.

49. Pakistan commended the efforts by Jamaica to honour its human rights obligations through legislative and administrative measures. It acknowledged that capacity and resource constraints and climate change were major obstacles to socioeconomic development in the country and called for greater international support.

50. Panama was pleased to note the implementation of the national development plan, as well as the approval of programmes for poverty reduction and for mitigation of climate change and adaptation to its effects.

51. Paraguay welcomed several initiatives on women's rights and expressed concern about the lack of a national human rights institution, the lack of a standing invitation for special procedures and the delays in reporting to treaty bodies.

52. Peru acknowledged the progress made by Jamaica, including the establishment of a national group to combat trafficking in persons.

53. The Philippines appreciated the ratification by Jamaica of the International Labour Organization (ILO) Domestic Workers Convention, 2011 (No. 189) in 2011, in line with a recommendation that it had made during the last cycle, and said it was open for cooperation on the issue of combating trafficking in persons.

54. Portugal noted with appreciation the approval of Vision 2030 Jamaica, the country's first long-term and results-based strategic development plan.

55. The Russian Federation noted with satisfaction the ratification of international human rights treaties and the adoption of laws in line with recommendations received during the second cycle of the universal periodic review.

56. Rwanda applauded the efforts by Jamaica to combat poverty and inequality. It also appreciated the adoption of the National Action Plan to Combat Trafficking in Persons and the National Strategic Action Plan to Eliminate Gender-based Violence.

57. Senegal congratulated Jamaica on the progress made, namely on its efforts to combat poverty and inequality, on implementing a national development plan and on establishing a national entity to combat trafficking in persons.
58. Sierra Leone thanked Jamaica for its engagement with the universal periodic review process and commended it for establishing a national human rights institution.
59. Singapore acknowledged the extensive efforts made by Jamaica to advance women's rights, noted the country's coordinated and intergovernmental approach to addressing poverty and expressed confidence that Jamaica would be able to overcome the challenges posed by the pandemic and build back better.
60. Slovenia supported the efforts of Jamaica to implement all core instruments of international human rights law and to cooperate with the mechanisms of the United Nations human rights system, including the United Nations treaty bodies.
61. South Africa congratulated Jamaica on implementing Vision 2030 Jamaica, which was evidence-driven, and was underpinned by the principles of sustainability, equity and inclusion, and which integrated economic, social, environmental and governmental aspects of national development.
62. Spain acknowledged with satisfaction that Jamaica was party to most international human rights instruments, welcomed the progress made in protecting the rights of women and girls, and expressed concerns about the situation of lesbian, gay, bisexual, transgender and intersex persons.
63. Sri Lanka commended the progress made by Jamaica since its second universal periodic review, including steps such as establishing an Interministerial Committee on Human Rights, amending the Trafficking in Persons Act and setting up a Gender Advisory Council.
64. Timor-Leste acknowledged progress made in Jamaica, welcoming in particular the appointment of a National Rapporteur on Trafficking in Persons and the adoption of the National Action Plan to Combat Trafficking in Persons.
65. Togo welcomed the fact that Jamaica was a party to most international human rights instruments, and its progress in climate change adaptation by emphasizing climate change mitigation and investing in energy efficiency and renewable energies.
66. With regard to the acceptance of international norms, Jamaica indicated that it was a party to the American Convention on Human Rights and to the International Covenant on Civil and Political Rights. According to its representative, the country had also implemented various measures at the domestic level to meet its responsibility to ensure that persons within its jurisdiction or control were not subjected to cruel, inhuman or degrading treatment or punishment. The representative of Jamaica noted that, although the country was not a party to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the inclusion of this protection in the Constitution of Jamaica demonstrated the country's commitment to recognition and respect for the inherent dignity of the human person.
67. To support global efforts to end impunity for those who committed or were otherwise responsible for some of the most heinous crimes, Jamaica had signed the Rome Statute of the International Criminal Court. However, Jamaica indicated that it needed to have legislation in place before it could proceed to ratification. The representative of Jamaica stated that the country had commenced the legislative drafting process and was assessing the administrative requirements that would arise from ratification of the Statute. She indicated that the resources that could be allocated to the ratification process were being negatively impacted by the need to respond to the socioeconomic and health crisis stemming from the COVID-19 pandemic and other natural disasters that had occurred recently. She added that, as the country had not yet ratified the Rome Statute, it was not able to ratify the Kampala Amendments.
68. With regard to the application of the death penalty, the representative of Jamaica stated that country had a long-standing de facto moratorium on applying the death penalty. There had been no executions in Jamaica since 1988. However, she stated that no decision had been taken to formally abolish the death penalty from the law books. She indicated that

this was within the sovereign jurisdiction of Jamaica and was to be determined collectively by the Government and citizens of Jamaica. She added that, despite Jamaica having withdrawn from the Optional Protocol to the International Covenant on Civil and Political Rights in 1997, individuals in Jamaica could submit petitions to the Inter-American Commission on Human Rights. Therefore, individual petitioners retained the right to petition an international human rights body. She added that the Constitution of Jamaica assured the rights listed in the Covenant and that the Government would not reaccede to the Optional Protocol to the Covenant for now.

69. The representative of Jamaica provided further information on gender-based violence and domestic violence against women. She mentioned the National Strategic Action Plan to Eliminate Gender-based Violence, for 2017 to 2027, which was guided by five strategic priority areas to eliminate gender-based violence. In addition, she stated that there was an ongoing review of local legal instruments – to prohibit, prevent and respond to all forms of gender-based violence, and to treat all victims equally and respectfully, regardless of gender, age, ethnicity, geographical location, religious affiliation, ability and class. In connection with this, the Sexual Offences Act, the Offences against the Person Act, the Domestic Violence Act and the Child Care and Protection Act were mentioned. Furthermore, the Sexual Harassment (Prevention) Act was also under consideration by a joint select committee of Parliament. The representative of Jamaica also underlined other initiatives, such as the No Excuse for Abuse public education campaign and the Spotlight Initiative.

70. With regard to cooperation with special procedures, Jamaica considered special procedure mandate holders as constructive players in the international human rights framework and welcomed collaboration with them. However, Jamaica considered that visits had to be in accordance with mutually agreed timelines and determined on a case-by-case basis. Jamaica indicated that it was cooperating with the Inter-American Commission on Human Rights, and had hosted the 172nd period of sessions, in 2019. In the same year, Jamaica had received the Commission on its visit throughout the Caribbean area to promote the mandates of the Commission, to strengthen knowledge of the mechanisms for the protection and promotion of human rights in the inter-American system and to strengthen dialogue with key actors working in the field of human rights.

71. With regard to sexual and reproductive health rights and services, Jamaica indicated that its Ministry of Health and Wellness and various stakeholders had drafted a Sexual and Reproductive Health Policy that was ready for adoption. In addition, the Ministry had increased its capacity to target adolescents, through the Teen Hub, which provided sexual and reproductive advice, mental health counselling, and HIV testing and counselling.

72. With regard to the protection of children, the representative of Jamaica mentioned the National Parenting Support Commission, the aim of which was to assist parents in developing the skills they needed to raise and protect their children. She also mentioned the launching of 36 helplines to assist parents who had expressed difficulty in coping, amid the COVID-19 pandemic and the challenges of online schooling due to in-person classes not being resumed. She mentioned other initiatives undertaken to connect with children and to build their awareness to report child abuse during the COVID-19 pandemic. In 2018, the Government had established the National Steering Committee on Child Labour to provide leadership and guidance for the development of policies and programmes aimed at eliminating child labour. The Child Protection and Family Services Agency had been developed to provide mental health training for social workers and caregivers, and it deployed its mobile mental health unit to provide psychosocial screening, assessment and intervention for children in State care.

73. Trinidad and Tobago commended Jamaica on its National Policy on Poverty and its National Poverty Reduction Programme, which addressed poverty through a coordinated approach, and welcomed research aimed at improving understanding of climate change impacts.

74. Tunisia appreciated the readiness of Jamaica to cooperate with United Nations human rights mechanisms and its ratification of the ILO Domestic Workers Convention, 2011 (No. 189) and the Hague Convention on the Civil Aspects of International Child Abduction.

75. Uganda welcomed the comprehensive approach by Jamaica to mitigating the environmental challenges of an island nation, and efforts to protect the rights of women, while stressing that more needed to be done in the latter respect.
76. Ukraine noted the adoption and implementation of the Vision 2030 Jamaica national development plan, which provided a strategic road map for broad-based improvement in the quality of life of all Jamaicans and towards a secure and prosperous future.
77. The United Kingdom of Great Britain and Northern Ireland urged continued efforts to reduce fatal shooting incidents, including by strengthening the Independent Commission of Investigations and ensuring that Jamaica's correctional system met international human rights standards.
78. The United States of America expressed its deep concern at the high rates of homicide and femicide in Jamaica and at the Government's insufficient response to end such violence and hold accountable those responsible.
79. Vanuatu commended the Government of Jamaica for its acceptance of several recommendations to establish a national human rights institution and for being a voice in calling for measures to address the climate crisis.
80. The Bolivarian Republic of Venezuela welcomed the ratification by Jamaica of the ILO Domestic Workers Convention, 2011 (No. 189) and its progress in the timely submission of periodic reports to the human rights treaty bodies.
81. Angola noted with appreciation the efforts of Jamaica to achieve the Sustainable Development Goals, in particular with regard to eradicating poverty (Goal 1), strengthening justice and social peace (Goal 16) and reducing inequalities (Goal 10).
82. Argentina noted with appreciation the appointment by Jamaica of a National Rapporteur on Trafficking in Persons in 2015, as well as the country's adoption of the National Action Plan to Combat Trafficking in Persons.
83. Australia urged Jamaica to take measures to improve prison conditions and on security forces-related killings as a result of excessive use of force, and to promote and protect the rights of lesbian, gay, bisexual, transgender and intersex persons.
84. The Bahamas encouraged Jamaica to avail itself of technical assistance and capacity-building support, in accordance with its human rights priorities, and called upon the international community to cooperate with the country in this regard.
85. Barbados commended Jamaica for the improvements made in its reporting procedures and compliance. It welcomed the establishment of the Interministerial Committee on Human Rights.
86. Botswana commended Jamaica for the consistent up-to-date reporting on its commitments under various human rights treaties and other United Nations treaty bodies. It encouraged Jamaica to continue compliance with these obligations.
87. Brazil acknowledged the efforts of Jamaica to lower crime rates and boost sustainable development. It appreciated the implementation of the National Strategic Action Plan to Eliminate Gender-based Violence and encouraged Jamaica to strengthen its fight against child labour and sexual harassment.
88. Canada applauded the continued exemplary diligence of Jamaica regarding press freedom. It urged Jamaica to expedite the establishment of a national human rights institution with a full mandate and independence.
89. Chile acknowledged the progress that Jamaica had made on gender issues, particularly the creation of the National Strategic Action Plan to Eliminate Gender-based Violence. Chile encouraged Jamaica to increase its efforts to establish a national human rights institution.
90. China commended the formulation of the Jamaica Vision 2030 national development plan to reduce poverty, develop education, combat human trafficking, and protect the rights of children, women, and persons with disabilities.

91. Cuba welcomed the progressive implementation of the National Strategic Action Plan to Eliminate Gender-based Violence, as well as the improvement of measures to prevent and combat human trafficking.

92. With regard to the establishment of a national human rights institution, Jamaica reiterated that this remained an important objective for the Government. Jamaica was studying various models of such institutions to adapt them to its needs. Jamaica stated that there were currently multiple institutions working towards protecting human rights in the country. The proposals to be submitted to Cabinet would also need to address the increased financial undertakings and implications for the Budget, as well as the structure of the institution, with a view to determining the best allocation of human and financial resources.

93. With regard to equality and non-discrimination, Jamaica reiterated that its Constitution provided for the respect of the rights of all persons without distinction and that all persons were afforded equality before the law. In addition, Jamaica had taken measures to mitigate any form of discrimination. The Diversity Policy, promulgated in 2011 and addressed to the Jamaica Constabulary Force, provided guidance to police officers as to how to fairly protect the rights of all persons, including members of the lesbian, gay, bisexual, transgender and intersex community. This policy also included fostering public confidence by demonstrating fairness, integrity, tolerance and understanding in dealing with all sectors of the community. In addition, the representative highlighted the Jamaica National Integrated Strategic Plan for Sexual and Reproductive Health and HIV 2014–2019 as a priority of the Ministry of Health and Wellness.

94. With regard to the rights to life and to liberty and security of person, the representative of Jamaica underlined that, through the Ministry of National Security, the Government had implemented the National CCTV Surveillance System (Jamaica Eye) to enhance citizen security broadly. Jamaica had also commenced the implementation of a strategic security and development programme called Plan Secure Jamaica, which included the Citizen Security Programme, which was multisectoral and community-focused. In addition, the Crime Monitoring Oversight Committee had been created as the governance mechanism for the National Consensus. It functioned as an independent body bringing together non-partisan stakeholders from the private sector, civil society, academia and the political directorate. In addition, Jamaica highlighted the Law Reform (Zones of Special Operation) (Special Security and Community Development Measures) Act, of 2017, which mandated the provision of consistent training on human rights, use of force and community development initiatives to the Jamaica Defence Force and the Jamaica Constabulary Force. This legal framework was accompanied by a strong social and community development programme to train, reintegrate, empower and build community cohesion in order to strengthen security efforts by providing social services to vulnerable communities. The representative of Jamaica also described the measures taken to prevent abuses by law enforcement officials in cases of detention, including during any state of public emergency.

95. The representative of Jamaica indicated that the Ministry of National Security had launched the Rebuild, Overhaul and Construct project to convert all police stations into modern, citizen-friendly workspaces, as well as to provide officers with a comfortable environment conducive for work. The project was also aimed at creating the ambience for citizens to willingly and comfortably engage with the police, with the objective of increasing reporting of crime by vulnerable victims.

96. With regard to persons in detention, including persons with mental health conditions, Jamaica indicated that policy discussions had begun among the national security, justice, and health and wellness ministries, to first identify gaps and then have a coordinated action plan to address the issue. Jamaica indicated that inmates with mental health conditions were considered vulnerable and were therefore not placed within the general correctional population. The need to construct a modern correctional facility had been identified.

97. While recognizing some improvements relating to women's rights, Denmark remained concerned about the inadequate protection of the lesbian, gay, bisexual, transgender and intersex community. Denmark emphasized that the Convention against Torture Initiative stood ready to assist Jamaica in advancing with ratification of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

98. The Dominican Republic highlighted the efforts made by Jamaica to reduce poverty and welcomed the programme and actions to mitigate climate change.
99. Ecuador recognized the progress made by Jamaica since the previous review cycle, which had included the establishment of a national group to combat trafficking in persons.
100. Fiji commended Jamaica for its efforts in advancing its climate change agenda, its commitment to addressing gender-based violence and its ongoing legal reforms on gender equality.
101. France invited Jamaica to continue its efforts in promoting and protecting human rights.
102. Georgia welcomed efforts to achieve gender equality by implementing the National Strategic Action Plan to Eliminate Gender-based Violence, and to protect the rights of the child, including by launching in Jamaica the Global Partnership to End Violence against Children.
103. Germany welcomed efforts to tackle sexual and gender-based violence, and the reduction in deaths by use of firearms by security forces. Germany remained concerned about rights of vulnerable groups, specifically children, and lesbian, gay, bisexual and transgender persons. It encouraged abolishing the death penalty.
104. With regard to poverty, Jamaica indicated that it had approved a holistic national policy on poverty and a poverty reduction programme in 2017, also to support the overall efforts to strengthen economic growth and social and sustainable development outcomes.
105. Jamaica stated that it had been particularly hard hit by the crisis, with the economy now grappling with the challenges of reduced revenues, increased health and social expenditures, a reversal of debt reduction targets and an ongoing climate crisis, which threatened to undo years of development gains.
106. The representative of Jamaica concluded by reiterating the Government's commitment to promoting and upholding respect for human rights, which it believed to be universal, inalienable, indivisible and interdependent, in adherence to its constitutional, regional and international obligations and in accordance with the principles of democracy and the rule of law. The Government of Jamaica reiterated that it stood ready and unwavering in its resolve to fulfil its obligations and to continue its cooperation with the United Nations human rights mechanisms, including treaty bodies, as well as with its regional and bilateral partners, in the field of human rights. Jamaica would continue to facilitate the ongoing engagement with civil society and other relevant stakeholders, including through the Interministerial Committee on Human Rights led by the Ministry of Foreign Affairs and Foreign Trade, in response to the various recommendations.

## II. Conclusions and/or recommendations

107. **The recommendations formulated during the interactive dialogue/listed below have been examined by Jamaica and enjoy the support of Jamaica:**
- 107.1 **Continue efforts to ratify international instruments (Morocco);**
- 107.2 **Ratify the Rome Statute of the International Criminal Court (Marshall Islands);**
- 107.3 **Ratify the Treaty on the Prohibition of Nuclear Weapons, which it signed on 8 December 2017 (Vanuatu);**
- 107.4 **Continue to engage with national stakeholders and United Nations agencies to address outstanding treaty body reports (Guyana);**
- 107.5 **Establish a permanent national mechanism for implementation, reporting and follow-up of human rights recommendations, considering the possibility of receiving cooperation to this end, in the framework of Sustainable Development Goals 16 and 17 (Paraguay);**

107.6 Continue the efforts to meet reporting obligations, in spite of human and resources constraints, which can hinder the timely submission of reports, and continue the consistent demonstration of willingness to cooperate with the mechanisms of the United Nations human rights system including the treaty bodies (South Africa);

107.7 Establish a national human rights institution in accordance with the Paris Principles (Denmark) (Iraq) (Namibia) (Rwanda) (Bolivarian Republic of Venezuela);

107.8 Establish a national human rights institution with a full mandate and independence in line with the Paris Principles (Ireland); Establish an independent national human rights institution and provide it with a full mandate and independence in line with the Paris Principles (Germany);

107.9 Consider establishing an independent national human rights institution in compliance with the Paris Principles (Nepal); Consider establishing an independent national human rights institution in accordance with the Paris Principles (India); Take further steps towards the establishment of a national human rights institution that is compliant with the Paris Principles (Philippines); Take further steps towards the establishment of a national human rights institution (Georgia);

107.10 Continue with efforts to establish a national human rights institution as was adopted by Commission on Human Rights resolution 1992/54, in line with the Paris Principles (Kenya); Continue to work towards the establishment of a national human rights institution based on the Paris Principles, including through possible bilateral and regional exchanges with other countries (Indonesia); Make efforts to establish a national human rights institution in accordance with the Paris Principles (Malaysia); Speed up the process of creating a national human rights institution in accordance with the Paris Principles (Niger); Continue to make efforts for the establishment of the national human rights institution (Pakistan); Establish a national human rights institution and give it a mandate and independence in accordance with the Paris Principles (Senegal); Complete its process of establishing a national human rights institution (Sri Lanka); Step up the process under way to establish a national human rights institution (Togo); Finalize the process of establishing a national human rights institution in accordance with the Paris Principles (Uganda); Accelerate the process of establishing a national human rights institution in accordance with the Paris Principles (Ukraine); Consider the recommendations for establishing a national human rights institution in the country (Ecuador);

107.11 Establish a national human rights institution and provide it with a full mandate and independence in line with the principles relating to the status of national institutions for the promotion and protection of human rights (Slovenia);

107.12 Consider the possibility of establishing a national human rights institution in accordance with the Paris Principles (Tunisia);

107.13 Adopt a normative framework against discrimination that includes a broad definition and encompasses both the public and private spheres, in accordance with international human rights standards (Mexico);

107.14 Continue efforts aimed at combating racism and xenophobia and prosecute perpetrators as well as provide assistance to victims (Iraq);

107.15 Step up its efforts to protect all citizens from violence and discrimination, including lesbian, gay, bisexual and transgender persons (Greece);

107.16 Intensify its efforts to combat racism and xenophobia (Timor-Leste);

107.17 Provide guidance, including setting standards when necessary, and sensitize health professionals, health-service providers, security forces and legal

operators to provide services with dignity and respect for all populations, including lesbian, gay, bisexual, transgender and intersex persons (Iceland);

107.18 Strengthen efforts to eliminate discrimination and violence based on sexual orientation and gender identity, actual or perceived, in compliance with its human rights obligations (Fiji);

107.19 Ensure that cases of violence against lesbian, gay, bisexual and transgender persons are thoroughly investigated, that the convicted perpetrators are prosecuted and, if convicted, punished with appropriate sanctions and that the victims have access to effective remedies (Germany);

107.20 Continue to expand efforts to reduce poverty, particularly among rural populations (Marshall Islands);

107.21 Enhance ongoing efforts to eliminate poverty, in accordance with its national programme (Myanmar);

107.22 Continue efforts in ensuring poverty reduction, adequate standards of living, and the protection of persons in vulnerable situations (Nigeria);

107.23 Continue to adopt necessary measures to address the effect of climate change (Nigeria);

107.24 Sustain efforts towards operationalization of the National Development Plan (Pakistan);

107.25 Continue to maintain a strong focus in its national development plans on poverty reduction, especially in rural areas, accounting in particular for the adverse impact of the COVID-19 pandemic on people living in poverty (Singapore);

107.26 Take sustainable and lasting tangible measures to fight the adversities of climate change, particularly in the tourism industry (Haiti);

107.27 Continue the commendable efforts by the Government to boost economic development and environmental sustainability, and reduce the rate of chronic non-communicable diseases and poverty levels, particularly rural and child poverty (South Africa);

107.28 Continue its efforts at addressing poverty among its population, including through the National Poverty Reduction Programme (Sri Lanka);

107.29 Continue adaptation and mitigation efforts to mitigate the effects of climate change on human rights (Tunisia);

107.30 Ensure adequate resources are provided for implementation of its National Poverty Reduction Plan so as to sustain momentum and advance the Plan's multifaceted approach (Bahamas);

107.31 Deepen efforts to address extreme poverty and psychosocial needs, especially given the impact of COVID-19 on the economy (Barbados);

107.32 Strengthen the scope and impact of the National Programme for Poverty Reduction, paying special attention to sectors such as rural women and persons with disabilities, and incorporating the response to the socioeconomic effects of the COVID-19 pandemic (Cuba);

107.33 Continue the efforts undertaken to reduce poverty, and increase social programmes aimed at improving the living conditions of the population (Dominican Republic);

107.34 Continue to implement effective policies to mitigate the impact of climate change (Dominican Republic);

107.35 Ensure that women, children, persons with disabilities, and indigenous and local communities are meaningfully engaged in the development and implementation of climate change and disaster risk reduction policies (Fiji);

- 107.36 Maximize its efforts to reduce poverty, in particular through taking effective measures to support groups in vulnerable situations, such as women, persons with disabilities and homeless populations (Islamic Republic of Iran);
- 107.37 Intensify its efforts to combat crime, violence and human trafficking, and address its high global rate on homicide (Ghana);
- 107.38 Ensure that all allegations of extrajudicial executions and ill-treatment by law enforcement officials are duly investigated (Portugal);
- 107.39 Reform the functioning of the penitentiary system (Russian Federation);
- 107.40 Pursue the efforts under the policy to reduce overcrowding of prisons, including by resorting to alternatives to imprisonment, and improve conditions of detention, in particular with regard to sanitary conditions and access to medical care (Senegal);
- 107.41 Take measures to decrease detention of children and migrants and to reduce prison overcrowding (Sierra Leone);
- 107.42 Respond constructively to the anticipated government task force report on the long-term incarceration of mentally ill people in Jamaican prisons, and address the systematic failures identified by the Independent Commission on Investigations (United Kingdom of Great Britain and Northern Ireland);
- 107.43 Take effective steps to reduce overcrowding in detention facilities, with alternatives to deprivation of liberty, and improve sanitary conditions and access to medical care for detainees (Bolivarian Republic of Venezuela);
- 107.44 Adopt and implement legislation prohibiting corporal punishment in all settings, including at home (Iceland);
- 107.45 Amend the INDECOM Act based on recommendations made by the Joint Select Committee of Parliament in 2015 to give the Independent Commission on Investigations the mandate and concrete capabilities to arrest, charge and prosecute members of the security forces for unlawful killings and abuses of power (Canada);
- 107.46 Draft and adopt legislative measures and take practical steps to prohibit corporal punishment of children in all settings (Germany);
- 107.47 Continue its efforts to strengthen measures to foster the training and awareness of public officials, including the security forces, on relevant human rights issues (Ghana);
- 107.48 Take effective measures to prevent the excessive use of force by the security forces and investigate all allegations of human rights violations and abuses (Italy);
- 107.49 Continue the efforts to improve detention conditions, and consider further actions concerning alternative measures to imprisonment, to keep minors separated from adults, as well as social reintegration programmes (Italy);
- 107.50 Ensure that complaints of alleged abuses committed by State security forces, including those committed under a state of emergency, are investigated expeditiously, those responsible are punished and the victims have access to effective reparation (Mexico);
- 107.51 Remove the existing restrictive conditions to determining marital rape in the Offences against the Person Act (Greece);
- 107.52 Evaluate reforms of the judicial system that aim at strengthening procedural guarantees and the provision of adequate legal aid services (Peru);
- 107.53 Ensure better monitoring of the functioning of law enforcement agencies (Russian Federation);

- 107.54 Pursue efforts to promote the rule of law, control violence and crime, and prosecute perpetrators (Tunisia);
- 107.55 Improve effectiveness of victim identification and support for victims of human trafficking by developing victim-centred, trauma-informed procedures in law enforcement operations, investigations and criminal justice proceedings, and increase efforts to investigate, prosecute and convict traffickers (United Kingdom of Great Britain and Northern Ireland);
- 107.56 End abuses by security forces and other government agents involved in extrajudicial killings, arbitrary detention, and life-threatening prison conditions, and ensure swift accountability for those who commit abuses, by implementing existing mechanisms to investigate and punish abuses, and by clearing administrative backlogs (United States of America);
- 107.57 Investigate exhaustively, prosecute and punish cases of torture and gender-based violence, and against other vulnerable groups such as lesbian, gay, bisexual, transgender and intersex persons, and guarantee access to justice and reparation for victims (Bolivarian Republic of Venezuela);
- 107.58 Take additional measures to regulate the use, possession and acquisition of small arms, in particular with a view to reducing the number of illegally held weapons (Angola);
- 107.59 Enhance programmes that bring support to children in conflict with the law, by diverting them from the formal system of justice (Barbados);
- 107.60 Fight against impunity by supporting any initiative aimed at improving the rate of solving crimes and the access of victims and their families to justice, and improving the processing times for criminal cases (France);
- 107.61 Develop programmes on awareness-raising for law enforcement authorities and judicial officers on human rights values and principles (India);
- 107.62 Take further measures to eliminate human trafficking, including providing adequate protection to all victims of trafficking and strengthening mechanisms to investigate cases of trafficking in persons, as is consistent with the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (Japan);
- 107.63 Allocate adequate human and financial resources to the Office of the National Rapporteur on Trafficking in Persons and strengthen the implementation of the National Action Plan to Combat Trafficking in Persons (Malaysia);
- 107.64 Continue its efforts to combat trafficking in persons, and allocate sufficient budget for the provision of essential support services to and rehabilitation for victims of trafficking and exploitation (Myanmar);
- 107.65 Further strengthen the provision of appropriate services to victims of trafficking, especially women and children, to facilitate their rehabilitation and social integration (Philippines);
- 107.66 Combat trafficking in persons by increasing the number of trafficking victims annually identified and receiving services, and enforce accountability of suspected human trafficking offenders by increasing prosecutions and punishments (United States of America);
- 107.67 Continue addressing the identified challenges to sustainable development, through providing better support towards the respect of human rights including in the maritime sector, relating to human trafficking, slavery and other human rights abuses in the seafaring and fisheries industries (Indonesia);
- 107.68 Support through economic and social policies the family institution and the preservation of family values (Haiti);

- 107.69 Continue to promote sustainable economic and social development, improve people's living standards and provide a solid foundation for the enjoyment of all human rights by its people (China);
- 107.70 Strengthen legislation to ensure better protection of people living with HIV/AIDS (Malaysia);
- 107.71 Take steps to promote universal access to education with a view to achieving Sustainable Development Goal 4 (Mauritius);
- 107.72 Strengthen the legislative, policy and advocacy environment to address discrimination in access to HIV/AIDS treatment (Bahamas);
- 107.73 Take measures to ensure adequate treatment to people living with HIV/AIDS and to protect people from discrimination based on health status (Brazil);
- 107.74 Continue implementing the Sexual and Reproductive Health Policy, emphasizing actions for adolescents and young people, and with a comprehensive approach that encompasses the prevention and treatment of all sexually transmitted diseases (Cuba);
- 107.75 Take measures to strengthen the protection of persons with HIV/AIDS and deal with discrimination against this group in all its forms (Dominican Republic);
- 107.76 Fight against extreme poverty and guarantee access to health care and education (France);
- 107.77 Continue its efforts to ensure that persons living with and affected by HIV can access treatment, care and support services without fear of discrimination (Georgia);
- 107.78 Strengthen its efforts to ensure that all children complete their compulsory education, and adopt a compulsory education policy for youth (Maldives);
- 107.79 Take further actions for full and effective implementation of the National Education Strategic Plan (Islamic Republic of Iran);
- 107.80 Promote equality between men and women and the participation of women in decision-making positions in political and public life (Iraq);
- 107.81 Enhance the efforts to eliminate gender-based violence and discrimination against women (Italy);
- 107.82 Strengthen efforts to further promote gender equality, including through public awareness-raising campaigns on gender (Japan);
- 107.83 Take necessary measures to provide women and children with greater protection against domestic violence (Kenya);
- 107.84 Take necessary steps to end gender-based violence, including sensitizing the population on related laws and their implementation (Kenya);
- 107.85 Strengthen its efforts to promote gender equality and equal participation in decision-making positions in public and political life (Maldives);
- 107.86 Consolidate efforts to protect vulnerable groups such as women and children from all forms of exploitation (Mauritius);
- 107.87 Continue its efforts towards eliminating domestic and gender-based violence (Greece);
- 107.88 Continue efforts to combat discrimination and violence against women, in particular domestic violence and sexual harassment (Morocco);

- 107.89 Continue measures to eliminate gender-based violence through awareness-raising and training programmes among the public, public officials and law enforcement personnel (Myanmar);
- 107.90 Continue taking measures to promote gender equality in political and public life (Nepal);
- 107.91 Consider allocating the necessary resources for the proper implementation of the Ten-Year Strategic National Action Plan to Eliminate Gender-based Violence (Peru);
- 107.92 Amend the Sexual Offences Act with a view to criminalizing all forms of marital rape and implement effectively the Strategic Action Plan to Eliminate Gender-based Violence, guaranteeing due reporting, investigation and prosecution of gender-based violence, particularly domestic and sexual violence, abuse and harassment (Portugal);
- 107.93 Prevent domestic violence (Russian Federation);
- 107.94 Continue to take necessary measures to increase the participation of women in public and political life (Rwanda);
- 107.95 Address gender-based violence and all other forms of violence, with a view to bringing perpetrators to justice (Sierra Leone);
- 107.96 Continue its efforts to promote gender equality at the substantive and societal levels, including through awareness-raising initiatives aimed at eliminating structural and cultural barriers to achieving meaningful equality (Singapore);
- 107.97 Adopt policies and instruments to guarantee the exercise of economic, social and cultural rights by women and girls, especially in the area of access to health services and the labour market under equal conditions (Spain);
- 107.98 Step up efforts to promote gender equality and the presence of women in positions of responsibility in public and political life (Togo);
- 107.99 Scale up measures to reduce the prevalence of gender-based violence (Uganda);
- 107.100 Provide a legislative and regulatory framework to protect women from gender-based violence (Ukraine);
- 107.101 Strengthen national programmes for the economic empowerment of women (Angola);
- 107.102 Expand resources for gender-based violence awareness campaigns, legal aid, shelters, and health, education and employment services for victims and survivors (Australia);
- 107.103 Continue to employ a multisectoral approach, centred on human rights principles, to address and eventually eliminate gender-based violence (Barbados);
- 107.104 Provide island-wide access to safe places for victims of gender-based violence especially to women and children by allocating adequate resources to increase the number of institutions that provide support and shelters for victims of gender-based violence (Botswana);
- 107.105 Undertake a holistic review of its legislation with a view to eliminating or reforming laws that preserve different forms of direct or indirect discrimination against women (Botswana);
- 107.106 Update legislation, in line with international law, aiming at ensuring equal protection and access to justice to all women victims of sexual violence (Brazil);

- 107.107 Strengthen efforts to eliminate gender-based violence and gender discrimination, through legislative measures, policies, and educational programmes (Canada);
- 107.108 Increase efforts to combat all forms of discrimination and violence against women and girls, and review judicial procedures to ensure that victims of domestic violence can have adequate access to justice (Chile);
- 107.109 Continue to promote gender equality and further protect the rights of women and children (China);
- 107.110 Take necessary measures to combat discriminatory practices against women and girls, including gender-based violence (India);
- 107.111 Implement in schools programmes to promote a culture of peace and protect children from all forms of violence, in particular bullying, and establish safe and appropriate psychosocial support and reporting procedures for affected children (Panama);
- 107.112 Intensify efforts to combat trafficking of children for the purpose of sexual exploitation and forced labour (Peru);
- 107.113 Intensify efforts to combat child labour, including by strengthening policy measures and social programmes (Philippines);
- 107.114 Guarantee the integrity and physical safety of children and adolescents in juvenile facilities, prohibit corporal punishment of children in all settings, and repeal the legal exemptions that support it (Bolivarian Republic of Venezuela);
- 107.115 Continue efforts to have all child diversion facilities fully operational in each parish by the end of November 2020, in keeping with the set goal (Bahamas);
- 107.116 Continue to promote respect for and protection of human rights, by strengthening policies for the social inclusion of young people through the practice of sport (Angola);
- 107.117 Adopt the necessary measures for a complete application of the Disability Law of 2014, and implement policies and programmes to guarantee the rights of persons with disabilities (Ecuador);
- 107.118 Continue to take measures towards the implementation of legislative protection for persons with disabilities (India);
- 107.119 Improve infrastructure to protect and support the rights and needs of persons with disabilities in public settings (Islamic Republic of Iran);
- 107.120 Adopt a merit-based process when selecting national candidates for United Nations treaty body elections (United Kingdom of Great Britain and Northern Ireland).
108. The following recommendations will be examined by Jamaica, which will provide responses in due time, but no later than the forty-sixth session of the Human Rights Council:
- 108.1 Sign and ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Canada) (Honduras);
- 108.2 Ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and its Optional Protocol (Denmark); Ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and its Optional Protocol, in line with Sustainable Development Goal 16 (Paraguay); Accede to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and its Optional Protocol (Vanuatu); Promptly accede to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and its Optional Protocol, and incorporate them into its national law (Ukraine); Continue its

**efforts to promptly accede to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and its Optional Protocol (Ghana);**

**108.3 Explore the possibility of adhering to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Niger);**

**108.4 Consider ratifying the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Fiji) (Sri Lanka);**

**108.5 Sign the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and its Optional Protocol (Spain);**

**108.6 Advance in the ratification of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and its Optional Protocol and of the International Convention for the Protection of All Persons from Enforced Disappearance (Chile);**

**108.7 Sign and ratify the International Convention for the Protection of All Persons from Enforced Disappearance (Honduras); Ratify the International Convention for the Protection of All Persons from Enforced Disappearance (Montenegro); Consider signing and ratifying the International Convention for the Protection of All Persons from Enforced Disappearance (Argentina);**

**108.8 Explore the possibility of adhering to the International Convention for the Protection of All Persons from Enforced Disappearance (Niger);**

**108.9 Consider ratifying the International Convention for the Protection of All Persons from Enforced Disappearance and the Convention against Torture (Sierra Leone);**

**108.10 Ratify the Rome Statute of the International Criminal Court, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the International Convention for the Protection of All Persons from Enforced Disappearance (France);**

**108.11 Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, and the Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean (Panama);**

**108.12 Ratify the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (Namibia);**

**108.13 Ratify the Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean (Escazú Agreement) (Marshall Islands);**

**108.14 Fully incorporate into domestic law the norms included in international human rights treaties (Ecuador);**

**108.15 Enact comprehensive anti-discrimination legislation to provide accessible remedies for all forms of discrimination whether in public or private and in particular in the context of education, health, housing, social security, employment or accessing services, by 2025 (Netherlands);**

**108.16 Adopt national legislation against discrimination against people on the grounds of sexual orientation and gender identity (Honduras);**

**108.17 Take all measures to guarantee the protection of lesbian, gay, bisexual, transgender and intersex persons and put an end to the discrimination they suffer (France);**

**108.18 Implement comprehensive anti-discrimination legislation, after meaningful consultation with civil society, to protect against institutionalized and societal discrimination against socially marginalized groups, including LGBTI+ persons. Furthermore, decriminalize sexual relations between consenting adults**

of the same sex and fully and thoroughly investigate all incidents and acts of violence suspected of being motivated by homophobia or transphobia and bring to justice those suspected of criminal responsibility (Ireland);

108.19 Decriminalize consensual same-sex relations and combat discrimination and violence against lesbian, gay, bisexual, transgender and intersex persons (Italy);

108.20 Decriminalize consensual same-sex relationships and prevent and punish acts of discrimination, harassment and violent attacks against lesbian, gay, bisexual, transgender and intersex persons, guaranteeing their human rights (Mexico);

108.21 Repeal all provisions that criminalize same-sex relations between consenting adults by 2025 (Netherlands);

108.22 Enact a comprehensive anti-discrimination law to prohibit all forms of discrimination, namely on grounds of sexual orientation, gender identity, marital status, disability and health status (Portugal);

108.23 Adopt legislative measures to prevent discrimination against lesbian, gay, bisexual, transgender and intersex persons and decriminalize consensual relationships between adults of the same sex (Spain);

108.24 Decriminalize same-sex sexual acts (Timor-Leste);

108.25 Repeal the Offences against the Person Act that criminalizes same-sex sexual activity between consenting adults (United States of America);

108.26 Adopt the necessary measures to decriminalize consensual sexual relations between adults of the same sex and put an end to prejudices against homosexuality and its social stigmatization (Argentina);

108.27 Decriminalize consensual same-sex relations (Australia);

108.28 Decriminalize consensual sexual relations between adults of the same sex and expand its anti-discrimination legislation to include a prohibition of discrimination on the basis of sexual orientation and gender identity (Iceland);

108.29 Repeal legislation criminalizing consensual same-sex practices between adults and strengthen the legal framework to combat discrimination on the basis of sexual orientation and gender identity (Canada);

108.30 Legally prohibit discrimination based on sex, sexual orientation and gender identity and punish all forms of violence against lesbian, gay, bisexual, transgender and intersex persons (Chile);

108.31 Decriminalize same-sex sexual acts and enact protective legislation for lesbian, gay, bisexual, transgender and intersex persons (Denmark);

108.32 Strengthen training for law enforcement officials, focusing on de-escalation and prevention of situations in which there may be a need to use force, as well as consider acceding to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Indonesia);

108.33 Proceed to amend the Abortion Act which has unfortunately led to widespread criminalization of abortion (Togo);

108.34 Amend the Sexual Offences Act to provide immunity to medical professionals against prosecution for helping child victims of sexual offence, for bona fide action taken to prevent pregnancy and sexually transmitted infections of sexually active adolescents below 16 years, to protect the child's physical safety or emotional well-being (Slovenia).

109. The recommendations formulated during the interactive dialogue/listed below have been examined by Jamaica and have been noted by Jamaica:

- 109.1 **Ratify the remaining United Nations human rights treaties (Marshall Islands);**
- 109.2 **Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Germany) (Bolivarian Republic of Venezuela);**
- 109.3 **Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, and take the necessary measures, including awareness-raising campaigns, to allow for the early abolition of the death penalty, in line with Sustainable Development Goal 16 (Paraguay); Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, and at this stage ensure that the death-row regime does not amount to cruel, inhuman or degrading treatment or punishment (Ukraine); Sign the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, and adopt the legislative measures necessary for the total abolition of the death penalty in the country (Spain);**
- 109.4 **Abolish the death penalty and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Australia) (Portugal);**
- 109.5 **Fully abolish the death penalty and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Iceland);**
- 109.6 **Issue an open standing invitation for visits of international and regional special procedure mandate holders (Montenegro);**
- 109.7 **Issue a standing invitation for visits of special procedure mandate holders (Slovenia);**
- 109.8 **Consider the possibility of issuing a standing invitation to the mandate holders of the special procedures of the Human Rights Council (Panama);**
- 109.9 **Extend a standing invitation to all Human Rights Council special procedures and closely cooperate with them (Ukraine);**
- 109.10 **Consider introducing a de jure moratorium on capital executions with a view to fully abolishing the death penalty (Italy);**
- 109.11 **Abolish the death penalty and adhere to the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Mexico);**
- 109.12 **Consider abolishing the death penalty (Rwanda);**
- 109.13 **Abolish the death penalty (Sierra Leone);**
- 109.14 **Abolish the death penalty (Timor-Leste);**
- 109.15 **Consider abolishing the death penalty (Fiji);**
- 109.16 **Declare a moratorium on executions with a view to the final abolition of the death penalty for all crimes (France).**
110. **All conclusions and/or recommendations contained in the present report reflect the position of the submitting State(s) and/or the State under review. They should not be construed as endorsed by the Working Group as a whole.**

## Annex

### Composition of the delegation

The delegation of Jamaica was headed by Senator the Honourable Mrs. Kamina Johnson Smith, Minister of Foreign Affairs and Foreign Trade, and composed of the following members:

- **Honourable Mr. Leslie Campbell**, Minister of State, Ministry of Foreign Affairs and Foreign Trade;
  - **Ambassador Marcia Gilbert-Roberts**, Permanent Secretary, Ministry of Foreign Affairs and Foreign Trade;
  - **H.E. Cheryl K. Spencer**, Ambassador/Permanent Representative of Jamaica to the Office of the United Nations, Geneva;
  - **Ambassador Alison Stone Roofe**, Under-Secretary, Multilateral Affairs Division, Ministry of Foreign Affairs and Foreign Trade;
  - **Ms. Julia Hyatt**, Director, Ministry of Foreign Affairs and Foreign Trade;
  - **Mr. Andre Coore**, Head, Legal Unit, Ministry of Foreign Affairs and Foreign Trade;
  - **Ms. Karen Wilson**, Director of Legal Services, Ministry of Justice;
  - **Ms. Sherise Gayle**, Senior Assistant Attorney General, Attorney General's Chambers;
  - **Mr. Scott Mullings**, Assistant Crown Counsel, Attorney General's Chambers;
  - **Ms. Faith Mullings-Williams**, Deputy Permanent Representative of Jamaica to the Office of the United Nations;
  - **Ms. Nicola Barker Murphy**, Assistant Director, Ministry of Foreign Affairs and Foreign Trade;
  - **Mr. Craig Douglas**, Minister Counsellor, Permanent Mission of Jamaica to the Office of the United Nations, Geneva;
  - **Mr. Dmitry Robertson**, First Secretary, Permanent Mission of Jamaica to the Office of the United Nations, Geneva;
  - **Mr. Rashaun Watson**, First Secretary, Permanent Mission of Jamaica to the Office of the United Nations, Geneva.
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