



General Assembly

Distr.: General
28 August 2025

Original: English

Human Rights Council
Working Group on the Universal Periodic Review
Fiftieth session
Geneva, 3–14 November 2025

Jamaica

Compilation of information prepared by the Office of the United Nations High Commissioner for Human Rights

I. Background

1. The present report was prepared pursuant to Human Rights Council resolutions 5/1 and 16/21, taking into consideration the outcome of the previous review.¹ It is a compilation of information contained in relevant United Nations documents, presented in a summarized manner owing to word-limit constraints.

II. Scope of international obligations and cooperation with human rights mechanisms

2. The Committee on the Elimination of Racial Discrimination reiterated its recommendation that Jamaica re-examine its broad and vague reservation to the Convention on the Elimination of Racial Discrimination and urged Jamaica to withdraw it, as it hindered the full implementation of the provisions of the Convention. It encouraged Jamaica to make the optional declaration provided for in article 14 of the Convention recognizing the competence of the Committee to receive and consider individual complaints.²

3. The Committee on the Elimination of Discrimination against Women urged Jamaica to ratify the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women.³

4. The Committee on the Rights of Persons with Disabilities recommended that Jamaica ratify the Optional Protocol to the Convention on the Rights of Persons with Disabilities without further delay.⁴

5. The Committee on the Elimination of Racial Discrimination and the Committee on the Elimination of Discrimination against Women encouraged Jamaica to consider ratifying 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.⁵

6. The Committee on the Elimination of Discrimination against Women and the Human Rights Committee recommended that Jamaica ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty.⁶



7. The Committee on the Elimination of Racial Discrimination recommended that Jamaica consider ratifying the Indigenous and Tribal Peoples Convention, 1989 (No. 169), of the International Labour Organization (ILO) and the Inter-American Convention against Racism, Racial Discrimination and Related Forms of Intolerance.⁷

8. The Committee on the Elimination of Discrimination against Women recommended that Jamaica consider ratifying the ILO Violence and Harassment Convention, 2019 (No. 190), and the ILO Workers with Family Responsibilities Convention, 1981 (No. 156).⁸

9. The United Nations country team recommended that Jamaica consider issuing a standing invitation to the special procedures of the Human Rights Council.⁹

10. The United Nations Educational, Scientific and Cultural Organization (UNESCO) invited Jamaica to ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights.¹⁰

III. National human rights framework

1. Constitutional and legislative framework

11. The Committee on the Elimination of Racial Discrimination expressed concern that Jamaica had not taken sufficient and appropriate measures to incorporate the provisions of the Convention into its domestic law. It recommended that Jamaica incorporate all of the substantive provisions of the Convention into its domestic law, with a view to ensuring comprehensive protection against racial discrimination.¹¹

12. The same Committee also expressed concern that section 13 (3) (i) (ii) of the Charter of Fundamental Rights and Freedoms did not include all the grounds enumerated in article 1 of the Convention. It was further concerned that Jamaica had not yet adopted comprehensive anti-discrimination legislation. It recommended that Jamaica seize the opportunity presented by the constitutional reform process to amend the Charter of Fundamental Rights and Freedoms to incorporate a comprehensive list of grounds of discrimination. It reiterated its recommendation that Jamaica adopt comprehensive anti-discrimination legislation that contained a clear definition of racial discrimination and encompassed direct and indirect discrimination in both the public and the private spheres. It recommended that Jamaica take appropriate steps to establish mechanisms with the mandate to prevent and combat racial discrimination.¹²

13. The Committee on the Rights of Persons with Disabilities noted with concern the lack of a gender perspective in disability-related legislation and policies and the lack of a disability perspective in gender-related legislation and policies. It recommended that Jamaica mainstream the rights of women and girls with disabilities into all gender legislation and mainstream a gender perspective into disability policies and programmes, while ensuring consultation with and the effective participation of women and girls with disabilities. It also recommended that Jamaica recognize in its legislation multiple and intersectional forms of discrimination against women and girls with disabilities and adopt specific legislation and strategies that reflected a gender perspective and intersectionality.¹³

14. The same Committee noted the delay in the enactment of the Disabilities Act (2014) and in the operationalization of the Disabilities Rights Tribunal and the Jamaica Council for Persons with Disabilities. It recommended that Jamaica accelerate the operationalization of the Disabilities Rights Tribunal and the Jamaica Council for Persons with Disabilities and ensure the availability of sustainable and appropriate human and financial resources to carry out their mandates.¹⁴

2. Institutional infrastructure and policy measures

15. The Committee on the Elimination of Racial Discrimination and the United Nations country team recommended that Jamaica expedite the establishment of an independent 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) and with a mandate to combat racial discrimination.¹⁵ The Committee on the Elimination of

Discrimination against Women and the Committee on the Rights of Persons with Disabilities made similar recommendations.¹⁶

16. The Committee on the Elimination of Discrimination against Women noted with concern the limited resources of the Bureau of Gender Affairs and its dependence on external agencies, which had an adverse impact on its capacity to consistently implement the National Policy for Gender Equality. It recommended that Jamaica provide adequate human and financial resources to the Bureau to allow it to carry out its mandate fully and effectively. It also recommended that Jamaica strengthen coordination between the Bureau, the cabinet minister appointed to focus on gender affairs, the Gender Advisory Council and gender focal points in the various ministries, as well as to strengthen the authority of the National Women's Machinery for improved oversight and stakeholder accountability.¹⁷

IV. Promotion and protection of human rights

A. Implementation of international human rights obligations, taking into account applicable international humanitarian law

1. Equality and non-discrimination

17. The Committee on the Elimination of Racial Discrimination expressed concern that the amendment to the Offences against the Person Act to address incitement to commit acts of violence, adopted in 2014, did not explicitly include racially motivated violence. It reiterated its concern that there was no domestic legislation in Jamaica giving full effect to all the provisions of article 4 of the Convention and reiterated its recommendation that Jamaica adopt specific legislative, administrative and other measures to give full effect to all provisions of article 4 of the Convention.¹⁸

18. The same Committee expressed concern about the persistence of socioeconomic disadvantages related to skin colour and intersecting forms of discrimination based on race, colour or ethnic origin and other grounds in relation to limitations on beach access. The Committee recommended taking legislative and policy measures to combat all forms of racial discrimination, to strengthen the mechanisms to prevent and investigate incidents of racial discrimination, to review the Beach Control Act of 1956 and to accelerate the adoption of the national beach policy.¹⁹

19. The same Committee expressed concern about the lack of information on complaints or cases involving direct or indirect discrimination on the grounds of race, skin colour, descent, or national or ethnic origin, as well as on investigations, prosecutions, convictions, sanctions imposed by domestic courts and reparation and redress provided to victims. It recommended that Jamaica adopt measures, with a clear time frame, to assess the effectiveness of remedies available to victims of racial discrimination and to establish a mechanism for collecting statistics on complaints of racial discrimination, as well as on investigations, prosecutions, convictions, sanctions imposed and reparation provided to victims.²⁰

20. The Committee on the Elimination of Discrimination against Women reiterated its concern about the absence of a legal definition of the term “discrimination against women” in the Constitution or other legislation in Jamaica. It recommended that Jamaica adopt, within a clear time frame, a comprehensive definition of discrimination under which discrimination against women was prohibited and which covered direct and indirect discrimination in the public and private spheres, as well as intersecting forms of discrimination. It also recommended that Jamaica ensure that robust monitoring mechanisms were established to ensure implementation of all related legislation.²¹

21. The Committee on the Elimination of Racial Discrimination expressed concern about reports that members of the Rastafari community were affected by racial profiling and by allegations that their dreadlocks had been forcibly cut while in detention. It recommended that Jamaica adopt and effectively implement laws and policies that defined and prohibited racial profiling by law enforcement officials and that it provide mandatory training to law

enforcement officials to counter biased policing and abuses against ethno-religious groups, such as the Rastafari.²²

22. The Committee on the Rights of Persons with Disabilities recommended that Jamaica review the existing anti-discrimination legislation, in particular section 36 of the Disabilities Act (2014), as well as relevant sections of the Constitution, to ensure that persons with disabilities were comprehensively protected from discrimination.²³

2. Right to life, liberty and security of person, and freedom from torture

23. The Human Rights Committee requested Jamaica to report on any progress made towards abolishing the death penalty.²⁴

24. The Committee on the Elimination of Discrimination against Women expressed concern about the overcrowding in detention facilities where women were deprived of their liberty. It recommended that Jamaica ensure that the conditions of women in detention were in line with the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules) and the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules), that all reports of sexual violence and sexual harassment in detention facilities were effectively investigated and that perpetrators were prosecuted and adequately punished.²⁵

25. The Committee on the Rights of Persons with Disabilities expressed concern that persons with disabilities were still subjected to laws that deprived them of their liberty on the basis of impairment. It recommended repealing all relevant legislative provisions allowing for the involuntary deprivation of liberty on the grounds of impairment and perceived dangerousness to themselves or others, introducing legislation that ensured non-discrimination, explicitly prohibiting the forced institutionalization of persons with disabilities and restoring the rights of persons with psychosocial disabilities to liberty and security.²⁶

26. The same Committee expressed concern that, despite the establishment by the Ministry of Health and Wellness of a Client Complaint Mechanism, that body had not considered that forced treatment of any type amounted to torture. It recommended that Jamaica that review its legislation, policies and practices that allowed all forms of involuntary confinement and forced treatment, review the regulations of the Client Complaint Mechanism to ensure that it was accessible to all persons with disabilities still in institutions and investigate and sanction perpetrators of practices that might amount to torture or cruel, inhuman or degrading treatment or punishment against persons with disabilities, imposing sanctions proportional to the conduct.²⁷

3. Administration of justice, including impunity, and the rule of law

27. The Committee on the Elimination of Discrimination against Women noted the investigative powers of the Office of the Public Defender, that the Complaints and Response Protocol procedure was operational and that mobile legal aid clinics had been deployed. However, the Committee urged Jamaica to carry out training and capacity-building for the judiciary, legal practitioners, law enforcement officials and other State agents on women's rights and to ensure that women had adequate access to affordable and, if necessary, free quality legal aid.²⁸

28. The Committee on the Rights of Persons with Disabilities recommended that Jamaica adopt an action plan on access to justice for persons with disabilities and the legal, administrative and judicial measures and procedural adjustments necessary to eliminate all restrictions on the effective participation of persons with disabilities in all stages of the judicial process and to ensure that persons with disabilities may enter the legal professions on an equal basis with others.²⁹

4. Fundamental freedoms and the right to participate in public and political life

29. The Committee on the Elimination of Racial Discrimination recommended that Jamaica increase its efforts to involve and consult with non-governmental organizations working on human rights protection.³⁰

30. The Committee on the Elimination of Discrimination against Women regretted that women remained underrepresented in political and public life. It recommended addressing cultural barriers that prevented women from entering decision-making and management positions, removing discriminatory practices and promoting equal representation of women in decision-making positions. It also recommended encouraging political parties to nominate equal numbers of women and men as candidates, introducing a zipper system in candidate lists, creating an enabling environment for the political participation of women and promoting political participation of women in all their diversity at all levels.³¹

31. The Committee on the Rights of Persons with Disabilities noted with concern the lack of measures taken to ensure the participation of persons with disabilities in political and public life. It recommended that Jamaica repeal all discriminatory provisions denying the rights of persons with disabilities to fully participate in political and public life, introduce specific measures to ensure equality and participation of underrepresented groups of persons with disabilities and guarantee that electoral and voting procedures, facilities and online or printed election materials were accessible in plain language and Easy Read. The Committee also recommended that Jamaica adopt measures aimed at achieving the empowerment and full inclusion of women and girls with disabilities in all spheres of life, as well as their involvement in all public decision-making processes.³²

5. Right to marriage and family life

32. The Committee on the Elimination of Discrimination against Women recommended that Jamaica continue simplifying and reducing the processing time in divorce proceedings, including by expediting the adoption and entry into force of the amendment to the Judicature (Rules of Court) Act.³³

33. The same Committee expressed concern regarding the limited access to child maintenance benefits for many mothers in practice. It recommended taking steps to eliminate any legislative and procedural barriers that prevented mothers from accessing child maintenance benefits.³⁴

34. The Committee on the Rights of Persons with Disabilities expressed concern about the lack of support for children with disabilities and their families and for parents with disabilities to carry out their parental responsibilities. It recommended that Jamaica adopt legislative and other measures to ensure support for families of persons with disabilities, including support for parents with disabilities to raise their children in a family setting.³⁵

6. Prohibition of all forms of slavery, including trafficking in persons

35. The Office of the United Nations High Commissioner for Refugees (UNHCR) expressed concern because anti-trafficking legislation in Jamaica did not explicitly address the right of victims of trafficking to seek asylum.³⁶ The Committee on the Elimination of Racial Discrimination recommended that Jamaica strengthen the measures adopted for the early identification of victims of trafficking among migrants, refugees and asylum-seekers and their referral to appropriate services for their assistance and rehabilitation.³⁷ UNHCR recommended that Jamaica enhance early identification of victims of trafficking and ensure that those who might be in need of international protection were provided with an opportunity to seek asylum and access adequate services.³⁸

36. The Committee on the Elimination of Discrimination against Women welcomed the appointment of a National Rapporteur on Trafficking in Persons and the launch of the National Policy and National Plan of Action to Combat Trafficking in Persons.³⁹ The same Committee and the Committee on the Elimination of Racial Discrimination recommended that Jamaica ensure the provision of adequate human, technical and financial resources to allow the National Rapporteur on Trafficking in Persons to carry out her mandate in an effective and independent manner.⁴⁰ The Committee on the Elimination of Discrimination against Women recommended the creation of a national referral mechanism to provide protection and assistance to women and girls who were victims of trafficking.⁴¹

7. Right to work and to just and favourable conditions of work

37. The Committee on the Elimination of Discrimination against Women expressed concern about the disproportionately high unemployment rate of women and their lower participation in the labour force. It recommended that Jamaica establish the root causes of unemployment among women, amend the Equal Pay for Men and Women Act (1975) to include the principle of equal remuneration of women and men for work of equal value and explicitly prohibit gender-based discrimination in recruitment, career development and vocational training.⁴²

38. The Committee on the Rights of Persons with Disabilities noted with concern that the measures taken to promote the employment of persons with disabilities were insufficient. It recommended that Jamaica expedite the implementation of the reserving of 5 per cent of jobs for persons with disabilities, as provided in the National Policy for Persons with Disabilities and the Disability Act (2014). It also recommended that Jamaica ensure that persons with disabilities had access to work and employment in the open labour market and to inclusive work environments and that it combat attitudinal barriers among employers and adopt an action plan to assess periodically the accessibility in the workplace.⁴³

8. Right to an adequate standard of living

39. The Committee on the Elimination of Discrimination against Women noted with concern the disproportionately high poverty rates among women, women's very limited access to loans and other forms of financial credit and the limited access to the national insurance system for self-employed and women entrepreneurs. It recommended ensuring that all national economic development policies included strategies to address the underlying causes of women's higher poverty rates in Jamaica, identifying and removing barriers preventing women from accessing loans and developing a gender-responsive social protection system that provided access to benefits for self-employed women.⁴⁴

40. The Committee on the Rights of Persons with Disabilities noted with concern the high number of persons with disabilities living in poverty and without a regular source of income. It recommended that Jamaica develop social protection and poverty reduction strategies targeting persons with disabilities and set up a universal social protection scheme to ensure an adequate standard of living for persons with disabilities.⁴⁵

9. Right to health

41. The Committee on the Elimination of Discrimination against Women was concerned because abortion remained criminalized in Jamaica, the rate of maternal mortality was stagnating despite the implementation of the Programme for the Reduction of Maternal and Child Mortality and Jamaica had a high rate of adolescent pregnancies and a low rate of cervical cancer screening. It recommended that Jamaica legalize abortion at least in cases of rape, incest, threats to the life or health of the pregnant woman and severe fetal impairment and decriminalize it in all other cases, reduce maternal mortality by improving women's access to antenatal, perinatal and postnatal health services, improve access to and the quality of sexual and reproductive health services for women and girls and promote cervical cancer screening and the use of mammography screening for early breast cancer detection.⁴⁶

42. The Committee on the Rights of Persons with Disabilities noted with concern the barriers faced by persons with disabilities in gaining access to healthcare. It recommended that Jamaica strengthen action plans to ensure the accessibility and availability of healthcare services and equipment for persons with disabilities, provide them with access to sexual and reproductive healthcare and services and ensure supported decision-making for women with intellectual or psychosocial disabilities so that they could reaffirm their sexual and reproductive autonomy and self-determination. It also recommended that Jamaica ensure that the National Health Fund was comprehensive and covered all essential services and drugs.⁴⁷

43. The United Nations country team highlighted the persistence of discriminatory practices, in particular in healthcare settings where people living with HIV continued to face negative attitudes and unequal treatment. The lack of sufficient legal enforcement mechanisms and ongoing stigma in communities meant that some people remained hesitant about seeking care due to fear of discrimination. It recommended that Jamaica increase

funding for legal aid services that assisted people living with HIV facing discrimination and expand training for healthcare professionals to ensure that HIV care was provided free from stigma and discrimination.⁴⁸

10. Right to education

44. UNESCO recommended that Jamaica enshrine the right to education for all in both the Constitution of Jamaica and its legislation and guarantee in the legislation at least 12 years of free primary and secondary education, of which 9 were compulsory.⁴⁹

45. The Committee on the Elimination of Discrimination against Women expressed concern about the high incidence of teenage pregnancy, the high levels of violence in schools, the high costs of and auxiliary fees for secondary schooling, the low participation of women and girls in science, technology, engineering and mathematics and the low number of boys enrolled in the formal education system compared with girls.⁵⁰

46. The same Committee recommended that Jamaica increase support to young mothers in continuing their education, further strengthen efforts towards effective implementation of the Safe School Policy and investigate and prosecute cases of bullying, ensuring that perpetrators were adequately punished and victims were provided with rehabilitation and redress. It also recommended providing easy access to financial support to cover the costs of secondary education for girls from lower-income families and further promoting the enrolment of girls and women at the secondary and tertiary levels in non-traditional fields of study.⁵¹

47. The Committee on the Rights of Persons with Disabilities expressed concern about the slow progress towards achieving inclusive education. It recommended that Jamaica develop a strategy for implementing quality inclusive education, with specific targets, timelines and a budget, and share responsibilities between the national and municipal levels, at all levels of education. It also recommended that Jamaica provide individualized support and reasonable accommodation in education and provide students with disabilities with assistive compensatory aids and learning materials in alternative and accessible formats.⁵²

11. Development, the environment, and business and human rights

48. The Committee on the Elimination of Discrimination against Women welcomed the adoption of the Gender and Climate Change Strategy and Action Plan in 2022 and the creation of a network of climate change focal points. It recommended that Jamaica address the needs of women in the context of climate change and disaster risk reduction, focusing on access to sexual and reproductive health services and the prevention of and protection from gender-based violence and loss of livelihoods, and provide effective gender budgeting for initiatives under the Gender and Climate Change Strategy and Action Plan.⁵³

49. The Committee on the Rights of Persons with Disabilities expressed concern about persons with disabilities not being sufficiently involved in disaster risk reduction plans. It recommended that Jamaica improve the accessibility of warning information for persons with all types of impairment. It also recommended that Jamaica closely consult persons with disabilities through their representative organizations on the design and implementation of all disaster risk reduction plans at the national and local levels and at all stages of the process, adopt a comprehensive strategy and continue to ensure that the Office of Disaster Preparedness and Emergency Management adequately addressed the specific requirements of all persons with disabilities in disaster risk responses.⁵⁴

50. The Committee on the Elimination of Racial Discrimination expressed concern about allegations according to which affected Maroon communities had not been involved or consulted in the decision-making processes related to bauxite mining projects. The Committee recommended that Jamaica adopt all measures necessary to prevent any harmful impact of mining activities on the ecosystem, the traditional lands and the health of the Maroon communities of Cockpit Country. It also recommended that Jamaica take appropriate steps to guarantee that communities affected by mining activities had access to effective legal remedies.⁵⁵

B. Rights of specific persons or groups

1. Women

51. The Committee on the Elimination of Discrimination against Women noted with concern the lack of quota systems for achieving substantive equality of women and men in political and public life, education, employment and economic empowerment. It recommended that Jamaica implement temporary special measures aimed at accelerating substantive equality of women and men in all areas in which women were underrepresented or disadvantaged.⁵⁶

52. The same Committee noted with concern that the amendments to the Domestic Violence Act had not yet been adopted despite their approval by the Cabinet in 2021 and that the Sexual Offences Act was yet to be amended and therefore marital rape continued to be criminalized only under certain conditions. It recommended that Jamaica strengthen its efforts under the National Strategic Action Plan to Eliminate Gender-Based Violence in Jamaica 2017–2027 to prevent and address gender-based violence against women and girls, expedite the adoption of the agreed amendments to the Domestic Violence Act and revise the Sexual Offences Act to criminalize marital rape in all circumstances.⁵⁷ The United Nations country team made a similar recommendation.⁵⁸

53. The Committee on the Rights of Persons with Disabilities recommended that Jamaica ensure that shelters for victims of violence were established and that the National Shelter Strategy (2018) included a requirement to ensure that facilities and services provided were accessible to persons with disabilities, in particular women and children.⁵⁹

2. Children

54. The Committee on the Elimination of Discrimination against Women expressed concern about existing exceptions to the minimum age for marriage under the Marriage Act, subject to parental consent. It recommended that Jamaica amend the Marriage Act to delete any exceptions to the minimum age of marriage of 18 years for both women and men.⁶⁰

55. The Committee on the Rights of Persons with Disabilities observed with concern that, even though corporal punishment of children in Jamaica was unlawful in alternative care, in some day-care settings and in the penal system, it was not yet fully prohibited in the home, in day care for children aged 6 and over, or in schools. It recommended that Jamaica explicitly prohibit corporal punishment in all settings and ensure that such prohibition was adequately monitored and enforced in all settings and that positive, non-violent and participatory forms of child-rearing and discipline were promoted through awareness-raising campaigns and training programmes, in accessible formats.⁶¹

3. Older persons

56. The Committee on the Elimination of Discrimination against Women expressed concern about the absence of gender-specific programmes for older women in Jamaica. It recommended that Jamaica address the feminization of old-age poverty by strengthening social services and the availability of care centres catering for the needs of older women to prevent poverty and isolation.⁶²

4. Persons with disabilities

57. The Committee on the Rights of Persons with Disabilities noted with concern the use, in laws and policies, of derogatory concepts and terminology concerning persons with disabilities. It recommended that Jamaica repeal all sections in the legislation that used such derogatory terms, including articles 37 (2) (c) and 40 (2) (f) of the Constitution, section 8 (2) of the Property (Rights of Spouse) Act, and the Mental Health Act. It also recommended that Jamaica ensure that concepts of “disability” and “persons with disabilities” in the national legislation were in line with the human rights model and the Convention on the Rights of Persons with Disabilities.⁶³

58. The same Committee expressed concern about the inadequate mechanisms to facilitate the involvement of persons with disabilities in decision-making processes

concerning disability-related laws, policies and programmes. It recommended that Jamaica strengthen and implement mechanisms for the effective involvement of persons with disabilities in public decision-making processes.⁶⁴

59. The same Committee also expressed concern that national legislation allowed substituted decision-making in property, financial and contract management and healthcare. It recommended that Jamaica expedite the review of the Mental Health Act and harmonize its national legislation, including article 13 (3) (g) of the Charter of Fundamental Rights and Freedoms Act (Constitutional Amendment) and section 8 (2) of the Property (Rights of Spouse) Act, to guarantee the right of all persons with disabilities to equal recognition before the law and to establish supported decision-making mechanisms in all areas of life.⁶⁵

60. The same Committee noted with concern that, despite the enactment of the Building Act (2018), the level of its implementation was low and that many educational, health and paramedical institutions constructed prior to 2019 were not compliant with the Building Code. It recommended that Jamaica ensure the effective implementation of the Building Act and bring educational, health and paramedical institutions into line with accessibility standards.⁶⁶

61. The same Committee recommended that Jamaica adopt a strategy to deinstitutionalize those adults and children with disabilities who were still in a residential setting and increase the availability of community-based services aimed at enabling persons to live independently and participate in the community.⁶⁷

62. The same Committee noted that the Jamaica Council for Persons with Disabilities supported the mobility of persons with disabilities through the provision of Assistive Aid Grants. However, it expressed concern that the financial support only covered 25–50 per cent of the total cost of some assistive devices, that only persons with disabilities who were registered with the Jamaica Council for Persons with Disabilities could benefit from the grants and that many of the assistive devices were not locally made. It recommended that Jamaica ensure access to quality mobility aids, devices and assistive technologies for all persons with disabilities, irrespective of their registration status. It also recommended that Jamaica increase budget allocations for the Assistive Aid Grants to meet the increased costs and demand for the assistive devices and to ease the burden on the individuals who needed them.⁶⁸

63. The same Committee expressed concern that, despite the widespread use of Jamaican Sign Language, it had not been recognized as a national language and that the Special Education Policy in which it would be made official was pending adoption. It recommended that Jamaica strengthen sign language training and that sign language be recognized as an official language of Jamaica.⁶⁹

5. Indigenous Peoples and minorities

64. The Committee on the Elimination of Racial Discrimination noted that Jamaica considered that there were no Indigenous Peoples in the country, while it recognized Maroon and Taino as cultures that were indigenous to Jamaica. The Committee expressed concern that that approach could marginalize communities within Jamaica that self-identified as Indigenous Peoples and could maintain or intensify situations of direct, indirect, multiple and intersecting forms of discrimination faced by them. The Committee recommended that Jamaica reconsider its approach with regard to Indigenous Peoples, giving due account to the principle of self-identification, and engage in open and inclusive discussions with Maroon and Taino communities on the matter.⁷⁰

6. Lesbian, gay, bisexual, transgender and intersex persons

65. The Committee on the Elimination of Discrimination against Women expressed concern that same-sex relations continued to be prohibited under the Offences Against the Person Act (1864). It recommended that Jamaica repeal provisions in the Offences Against the Person Act prohibiting same-sex sexual activity in order to implement the *Gareth Henry and Simone Carline Edwards v. Jamaica* decision of the Inter-American Commission on Human Rights.⁷¹

7. Migrants, refugees and asylum-seekers

66. UNHCR underlined that Jamaica was a country of origin, destination and transit for refugees and migrants, in particular those travelling along maritime routes in mixed movements, often arriving by sea from neighbouring Cuba and Haiti. It pointed to a rise in arrivals from Haiti in recent years, which had been accompanied by concerns about whether they were able to effectively access asylum procedures, in line with the 2009 Refugee Policy of Jamaica, and about the lack of adequate reception facilities and support for those in detention. In June 2024, the Ministry of National Security had announced plans to develop a temporary humanitarian stay option for Haitian nationals in Jamaica; however, no further updates were available. UNHCR recommended that Jamaica discontinue pre-removal administrative detention for Haitians, considering the UNHCR non-return advisory and the guidelines contained in the International Protection Considerations for Persons Fleeing Haiti.⁷²

67. UNHCR reported that persons who might be in need of international protection had been detained for extended periods in reportedly difficult conditions. Reports indicated overcrowding, inadequate medical care and limited access to legal assistance in detention centres, raising concerns about compliance with the principle of non-penalization under international refugee law and the provisions of the 2009 Refugee Policy.⁷³

68. UNHCR reported that Jamaica had not enacted comprehensive domestic legislation to fully implement its international refugee obligations. The country's asylum system operated under the 2009 Refugee Policy, which provided a framework for refugee status determination but lacked the force of law. UNHCR recommended that Jamaica introduce and implement alternatives to immigration detention in law and practice, ensuring that detention was used only as a last resort and for the shortest possible duration, in line with international standards and the UNHCR Detention Guidelines. It also recommended that Jamaica review and establish clear limits on the limited reasons for use of detention of asylum-seekers, both in law and in practice, to prevent arbitrary detention. UNHCR further recommended that Jamaica establish mechanisms for the early identification and referral of asylum-seekers to specialized services, counselling and support, and ensure that asylum-seekers and refugees had effective access to essential social services, including healthcare and education, without discrimination.⁷⁴

69. UNHCR indicated that the 2009 Refugee Policy granted asylum-seekers the right to seek protection. However, the lack of a binding asylum framework with clearly defined procedures and protection mechanisms heightened the risk of refoulement and restricted access to durable solutions. It recommended that Jamaica ensure effective access to asylum procedures at all points of entry and strengthen safeguards against refoulement.⁷⁵

70. UNHCR underlined that asylum-seekers and refugees in Jamaica faced challenges in integrating into society. Such challenges were exacerbated by discrimination and xenophobia, which hindered access to essential services and contributed to social exclusion. It recommended that Jamaica take steps to reduce discrimination and xenophobia.⁷⁶

71. The Committee on the Elimination of Racial Discrimination recommended that Jamaica adopt all measures necessary to decriminalize irregular immigration, including by repealing or amending the Immigration Restriction (Commonwealth Citizens) Act, the Aliens Act and the Deportation (Commonwealth Citizens) Act.⁷⁷ The Committee also recommended that Jamaica enact comprehensive legislation on the protection of the rights of refugees and asylum-seekers, which included fair procedures for the consideration of asylum applications and the determination of refugee status.⁷⁸

72. The Committee on the Elimination of Discrimination against Women expressed concern about the lack of a gender-sensitive protocol for the referral to appropriate services and/or examination of protection claims of migrant, asylum-seeking and refugee women. It recommended that Jamaica adopt gender-sensitive migration and asylum procedures and identify and address the specific needs of migrant, asylum-seeking and refugee women.⁷⁹

8. Stateless persons

73. The Committee on the Elimination of Racial Discrimination recommended that Jamaica adopt comprehensive legislation to eradicate statelessness and consider acceding to the Convention relating to the Status of Stateless Persons.⁸⁰

Notes

- ¹ [A/HRC/46/18](#), [A/HRC/46/18/Add.1](#) and [A/HRC/46/2](#).
- ² [CERD/C/JAM/CO/21-24](#), paras. 8 and 38.
- ³ [CEDAW/C/JAM/CO/8](#), para. 13 (d).
- ⁴ [CRPD/C/JAM/CO/1](#), para. 7 (d).
- ⁵ [CERD/C/JAM/CO/21-24](#), para. 37; and [CEDAW/C/JAM/CO/8](#), para. 48.
- ⁶ [CEDAW/C/JAM/CO/8](#), para. 48; and [CCPR/C/JAM/QPR/5](#), para. 13. See also United Nations country team submission for the universal periodic review of Jamaica, p. 19.
- ⁷ [CERD/C/JAM/CO/21-24](#), para. 37.
- ⁸ [CEDAW/C/JAM/CO/8](#), paras. 23 (e) and 35 (e).
- ⁹ United Nations country team submission, p. 2.
- ¹⁰ UNESCO submission for the universal periodic review of Jamaica, para. 26.
- ¹¹ [CERD/C/JAM/CO/21-24](#), paras. 9 and 10.
- ¹² *Ibid.*, paras. 11 and 12.
- ¹³ [CRPD/C/JAM/CO/1](#), paras. 12 (b) and 13 (b) and (c).
- ¹⁴ *Ibid.*, paras. 10 (b) and 11 (b).
- ¹⁵ [CERD/C/JAM/CO/21-24](#), para. 16; and United Nations country team submission, p. 3.
- ¹⁶ [CEDAW/C/JAM/CO/8](#), para. 17; and [CRPD/C/JAM/CO/1](#), para. 61 (a). See also [CCPR/C/JAM/QPR/5](#), para. 2; and [CMW/C/JAM/QPR/1-2](#), para. 5.
- ¹⁷ [CEDAW/C/JAM/CO/8](#), paras. 14 and 15 (a), (c) and (d).
- ¹⁸ [CERD/C/JAM/CO/21-24](#), paras. 17 and 18. See also [CCPR/C/JAM/QPR/5](#), para. 4.
- ¹⁹ [CERD/C/JAM/CO/21-24](#), paras. 13 and 14.
- ²⁰ *Ibid.*, paras. 31 and 32 (a) and (d).
- ²¹ [CEDAW/C/JAM/CO/8](#), paras. 10 and 11.
- ²² [CERD/C/JAM/CO/21-24](#), paras. 23 and 24.
- ²³ [CRPD/C/JAM/CO/1](#), para. 11 (a).
- ²⁴ [CCPR/C/JAM/QPR/5](#), para. 13.
- ²⁵ [CEDAW/C/JAM/CO/8](#), paras. 38 (d) and 39 (d). See also [CCPR/C/JAM/QPR/5](#), para. 16; and United Nations country team submission, p. 6.
- ²⁶ [CRPD/C/JAM/CO/1](#), paras. 28 and 29 (a).
- ²⁷ *Ibid.*, paras. 30 (b) and 31. See also [CCPR/C/JAM/QPR/5](#), para. 15.
- ²⁸ [CEDAW/C/JAM/CO/8](#), paras. 12 and 13 (a) and (c). See also [CRPD/C/JAM/CO/1](#), paras. 12 (d) and 13 (d).
- ²⁹ [CRPD/C/JAM/CO/1](#), para. 27 (a), (b) and (e).
- ³⁰ [CERD/C/JAM/CO/21-24](#), para. 36.
- ³¹ [CEDAW/C/JAM/CO/8](#), paras. 26 and 27. See also United Nations country team submission, pp. 12 and 13.
- ³² [CRPD/C/JAM/CO/1](#), paras. 13 (e), 52 (b) and 53 (a)–(c).
- ³³ [CEDAW/C/JAM/CO/8](#), para. 43 (a).
- ³⁴ *Ibid.*, paras. 42 (c) and 43 (c).
- ³⁵ [CRPD/C/JAM/CO/1](#), paras. 40 and 41.
- ³⁶ UNHCR submission for the universal periodic review of Jamaica, p. 5.
- ³⁷ [CERD/C/JAM/CO/21-24](#), para. 30.
- ³⁸ UNHCR submission, p. 5.
- ³⁹ [CEDAW/C/JAM/CO/8](#), para. 24.
- ⁴⁰ *Ibid.*, para. 25 (a); and [CERD/C/JAM/CO/21-24](#), para. 30.
- ⁴¹ [CEDAW/C/JAM/CO/8](#), para. 25 (b).
- ⁴² *Ibid.*, paras. 30 (a) and 31 (a) and (b). See also United Nations country team submission, pp. 12 and 13.
- ⁴³ [CRPD/C/JAM/CO/1](#), paras. 48 (b) and 49 (a)–(c).
- ⁴⁴ [CEDAW/C/JAM/CO/8](#), paras. 34 (a)–(c) and 35 (a)–(c).
- ⁴⁵ [CRPD/C/JAM/CO/1](#), paras. 50 and 51 (a) and (b).
- ⁴⁶ [CEDAW/C/JAM/CO/8](#), paras. 32 and 33. See also United Nations country team submission, pp. 8–11.
- ⁴⁷ [CRPD/C/JAM/CO/1](#), paras. 44 (a) and 45 (a), (b) and (d).
- ⁴⁸ United Nations country team submission, pp. 4 and 5.

- ⁴⁹ UNESCO submission, para. 21.
- ⁵⁰ [CEDAW/C/JAM/CO/8](#), para. 28 (a)–(c), (e) and (f). See also United Nations country team submission, pp. 10 and 11.
- ⁵¹ [CEDAW/C/JAM/CO/8](#), para. 29 (a)–(c) and (e). See also UNESCO submission, paras. 7 and 21.
- ⁵² [CRPD/C/JAM/CO/1](#), paras. 42 (a) and 43 (a)–(c).
- ⁵³ [CEDAW/C/JAM/CO/8](#), paras. 40 and 41. See also United Nations country team submission, pp. 5 and 6.
- ⁵⁴ [CRPD/C/JAM/CO/1](#), paras. 20 and 21.
- ⁵⁵ [CERD/C/JAM/CO/21-24](#), paras. 21 and 22.
- ⁵⁶ [CEDAW/C/JAM/CO/8](#), paras. 18 and 19. See also [CCPR/C/JAM/QPR/5](#), para. 7; and United Nations country team submission, pp. 12–14.
- ⁵⁷ [CEDAW/C/JAM/CO/8](#), paras. 22 (b) and (c) and 23 (a)–(c). See also [CCPR/C/JAM/QPR/5](#), para. 8; and United Nations country team submission, pp. 14–17.
- ⁵⁸ United Nations country team submission, p. 17.
- ⁵⁹ [CRPD/C/JAM/CO/1](#), para. 33 (c).
- ⁶⁰ [CEDAW/C/JAM/CO/8](#), paras. 42 (b) and 43 (b). See also UNESCO submission, paras. 4, 5 and 21.
- ⁶¹ [CRPD/C/JAM/CO/1](#), paras. 14 (c) and 15 (c). See also United Nations country team submission, p. 18; and UNESCO submission, paras. 6 and 21.
- ⁶² [CEDAW/C/JAM/CO/8](#), paras. 38 (b) and 39 (b).
- ⁶³ [CRPD/C/JAM/CO/1](#), paras. 6 (a) and 7 (a) and (b).
- ⁶⁴ *Ibid.*, paras. 8 (a) and 9 (a).
- ⁶⁵ *Ibid.*, paras. 24 and 25.
- ⁶⁶ *Ibid.*, paras. 18 (b) and 19 (b).
- ⁶⁷ *Ibid.*, para. 35 (b).
- ⁶⁸ *Ibid.*, paras. 36 and 37 (a) and (b).
- ⁶⁹ *Ibid.*, paras. 38 (b) and 39 (b).
- ⁷⁰ [CERD/C/JAM/CO/21-24](#), paras. 19 and 20.
- ⁷¹ [CEDAW/C/JAM/CO/8](#), paras. 22 (d) and 23 (d). See also [CCPR/C/JAM/QPR/5](#), para. 4; and United Nations country team submission, pp. 4 and 5.
- ⁷² UNHCR submission, pp. 1 and 3.
- ⁷³ *Ibid.* pp. 2 and 3. See also [CMW/C/JAM/QPR/1-2](#), paras. 1 and 17.
- ⁷⁴ UNHCR submission, pp. 2 and 3.
- ⁷⁵ *Ibid.*, pp. 4 and 5.
- ⁷⁶ *Ibid.*, pp. 3 and 4.
- ⁷⁷ [CERD/C/JAM/CO/21-24](#), para. 26. See also [CMW/C/JAM/QPR/1-2](#), paras. 1 and 17.
- ⁷⁸ [CERD/C/JAM/CO/21-24](#), para. 28. See also [CCPR/C/JAM/QPR/5](#), para. 18; and [CMW/C/JAM/QPR/1-2](#), para. 1.
- ⁷⁹ [CEDAW/C/JAM/CO/8](#), paras. 38 (c) and 39 (c).
- ⁸⁰ [CERD/C/JAM/CO/21-24](#), para. 28. See also [CMW/C/JAM/QPR/1-2](#), para. 24.