



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS  
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Excellency,

I have been following the third cycle of the Universal Periodic Review (UPR) of Jamaica and welcome the constructive engagement of your Government during the 36<sup>th</sup> session of the UPR Working Group in November 2020.

As the final outcome report on the review of Jamaica has been recently adopted by the Human Rights Council at its 46<sup>th</sup> session, I would like to take this opportunity to follow up on a number of areas raised in the two reports that my Office had prepared for the review of Jamaica – the Compilation of United Nations information and the Summary of Stakeholders' submissions – which I consider in need of particular attention over the next four and a half years, until the next cycle of the UPR. In identifying those areas, I have considered the statements and/or recommendations made by 70 delegations and the presentation made and responses provided by the delegation of Jamaica. I have also considered the actions taken by the Government of Jamaica to implement the 92 recommendations supported as well as those that were partially accepted during the second cycle of the UPR. The aforementioned areas cover a range of issues, which appear in the annex to this letter.

I welcome the signature and/or ratification by Jamaica of several conventions related to human rights such as the ILO Domestic Workers Convention N° 189 in 2016 and The Hague Convention on the Civil Aspects of International Child Abduction in 2017. I encourage Jamaica to ratify other critically important human rights treaties such as the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and its Optional Protocol.

I take note of progress made by Jamaica to mitigate any form of discrimination such as the National Integrated Strategic Plan for Sexual and Reproductive Health and HIV 2014-2019. To continue that effort, my Office stands ready to support Jamaica in expanding the fight against discrimination and violence to all citizens regardless of their sexual orientation, including through the provision of legal advice to amend the Offences Against the Person Act.

I also welcome the adoption of the Vision 2030 Jamaica national development plan, the National Strategic Plan to Eliminate Gender-based Violence and the National Plan to Combat Trafficking in Persons and encourage Jamaica to continue implementing them effectively in order to achieve concrete results in the areas highlighted in the annex to this letter and to facilitate preparations for the fourth cycle of the UPR. My advice to all Member States is to implement national action plans in close consultation and cooperation with all stakeholders, in particular all civil society organizations and, where necessary, with the support of international organizations, including my Senior Human Rights Advisor and other United Nations entities, under the leadership of the United Nations Resident Coordinator.

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H. E. Ms. Kamina JOHNSON SMITH  
Minister of Foreign Affairs and Trade  
Jamaica

I encourage Jamaica to further strengthen its Inter-ministerial Committee on Human Rights to serve as a permanent national mechanism for comprehensive reporting and follow-up in relation to recommendations received from all international and regional human rights mechanisms and to treaty obligations, while linking these to the Sustainable Development Goals. To this end, I strongly recommend the use of the OHCHR practical guide on this topic, which is available at:

[http://www.ohchr.org/Documents/Publications/HR\\_PUB\\_16\\_1\\_NMRF\\_PracticalGuide.pdf](http://www.ohchr.org/Documents/Publications/HR_PUB_16_1_NMRF_PracticalGuide.pdf).

I would also like to encourage the use of the National Recommendations Tracking Database (NRTD). My Office stands ready to provide the necessary technical support with regard to its implementation.

Please note that I am sharing my advice with all Member States as they go through the third cycle of the UPR with a view to assisting them with the implementation of the recommendations, following the review. One important measure that can positively contribute to follow-up action is voluntary mid-term reporting. Therefore, I strongly encourage all Member States to submit a voluntary mid-term report two years after the adoption of the UPR outcome report. In this regard, I encourage Jamaica to consider submitting a mid-term report on follow-up to the third cycle of the review, by 2023.

As stated by the Secretary-General in his 2017 report on the work of the Organization (A/72/1, paragraph 98): *"The Human Rights Council's universal periodic review process is now entering a new cycle, with every Member State scheduled for a third round of scrutiny. We will work to strengthen the relevance, precision and impact of the Council's recommendations, including by providing better support to Member States in implementation, stronger collaboration with United Nations country teams and the establishment of national mechanisms for human rights reporting and follow-up to link the universal periodic review to the implementation of the Sustainable Development Goals."*

I look forward to discussing with you ways in which my Office may assist Jamaica in relation to the areas identified in this letter and its annex.

Please, accept, Excellency, the assurances of my highest consideration.



Michelle Bachelet  
High Commissioner for Human Rights

cc: Mr. Garry CONILLE  
United Nations Resident Coordinator  
Jamaica

Mr. George ABUALZULOF  
Senior Human Rights Advisor  
Office of the United Nations Resident Coordinator  
Jamaica

## Annex

### **Scope of international obligations and cooperation with international human rights mechanisms and bodies**

- Ratifying the human rights instruments Jamaica is not yet party to.

### **National human rights framework**

- Establishing a national human rights institution in accordance with the Paris Principles.
- Establishing a permanent national mechanism for implementation, reporting and follow up to human rights recommendations using available tools such as the OHCHR Practical Guide to Effective State Engagement with International Human Rights Mechanisms available here: [http://www.ohchr.org/Documents/Publications/HR\\_PUB\\_16\\_1\\_NMRF\\_PracticalGuide.pdf](http://www.ohchr.org/Documents/Publications/HR_PUB_16_1_NMRF_PracticalGuide.pdf).

### **Implementation of international human rights obligations, taking into account applicable international humanitarian law**

#### **A. Cross-cutting issues**

##### *Equality and non-discrimination*

- Adopting legal frameworks to protect all citizens from violence and discrimination.

##### *Development, the environment, and business and human rights*

- Continuing to implement measures to mitigate the impact of climate change.

#### **B. Civil and political rights**

##### *Right to life, liberty and security of person*

- Training of law enforcement officers to prevent human rights violations.
- Improving the conditions of detention, including by reducing the overcrowding of prisons by resorting to alternatives to imprisonment, in particular for children and migrants.

##### *Administration of justice, including impunity, and the rule of law*

- Reforming the judicial system to strengthen procedural guarantees.

##### *Prohibition of all forms of slavery*

- Taking further measures to eliminate human trafficking, including by allocating human and financial resources to the Office of the National Rapporteur on Trafficking in Persons and by strengthening the implementation of the National Action Plan to Combat Trafficking in Persons.



### **C. Economic, social and cultural rights**

#### *Right to an adequate standard of living*

- Strengthening the efforts to combat poverty.

#### *Right to health*

- Taking measures to strengthen the protection of persons living with HIV/AIDS, in particular to access treatment, care and support services.

#### *Right to education*

- Strengthening the efforts to ensure that all children complete their compulsory education.

### **D. Rights of specific persons or groups**

#### *Women*

- Strengthening the efforts to promote gender equality and combat gender-based violence, including domestic violence.
- Further implementing the National Strategic Plan to Eliminate Gender-based Violence, including by allocating the necessary resources to it.
- Providing legal aid, access to health care, safe places and shelters, education and employment services for victims of gender-based violence.

#### *Children*

- Adopting and implementing legislation prohibiting corporal punishment in all settings, including at home.

#### *Persons with disabilities*

- Continuing to take measures to implement the legislative protection of persons with disabilities.

#### *Migrants*

- Harmonizing Jamaica migrations laws with the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, in particular the Deportation (Commonwealth Citizens) Act, the Aliens Act (Cap. 9) and the Immigration Restriction (Commonwealth Citizens) Act.