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Report of the Working Group on the Universal Periodic Review*

Jamaica

Addendum

Views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under review

* The present document is being issued without formal editing.

1. Jamaica was pleased to present its third cycle report to the 36th Session of the Working Group on the Universal Periodic Review (UPR) on 11th November 2020. Jamaica received a total of 170 recommendations, of which 120 were accepted and 16 noted (or not accepted). The remaining 34 recommendations required further consideration in consultation with the relevant Ministries, Departments and Agencies (MDAs) with a view to providing a more definitive response by the 46th Regular Session of the Human Rights Council in 2021.

2. The Government of Jamaica hereby presents its response to those recommendations that it had declared would have required further consideration before the formal adoption of the report by the Human Rights Council. These recommendations are contained in paragraphs 108.1–108.34 of document A/HRC/46/18.

108.1 Sign and ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Canada) (Honduras); **Noted.**

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); **Noted.**

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

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

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

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); **Noted.**

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); **Noted.**

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

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

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); **Noted.**

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); **Noted. Jamaica has signed (26th September 2019) but not ratified the Escazú Agreement.**

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

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); **Noted. Jamaica has signed (26th September 2019) but not ratified the Escazú Agreement.**

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

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); **Noted.**

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

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); **Noted.**

108.18 Implement comprehensive anti-discrimination legislation, after meaningful consultation with civil society, to protect against institutionalised 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); **Noted.**

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

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); **Noted.**

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

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); **Noted.**

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); **Noted.**

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

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

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); **Noted.**

108.27 Decriminalize consensual same-sex relations (Australia); **Noted.**

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); **Noted.**

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); **Noted.**

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); **Noted.**

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

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); **Noted.**

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

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); **Noted.**
