

Jamaica

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Jamaica became a member of ILO-IPEC in September 2000. With funding from USDOL, the Government of Jamaica is implementing a two-year comprehensive national program in cooperation with ILO-IPEC to collect baseline information on the extent of child labor in the country, and to provide a range of services to address the problem of child labor in commercial sexual exploitation, fishing, tourism, and informal urban sectors.¹⁸⁶⁷ This project is also supporting a national child labor survey to be conducted by the Statistical Institute of Jamaica (STATIN) with technical assistance from ILO-IPEC's SIMPOC.¹⁸⁶⁸

In 1996, the government launched a National Plan of Action for Children to provide universal access to basic education, reintegrate street children into school and develop a comprehensive national policy statement on children.¹⁸⁶⁹ In 2001, the government opened a center for street children through the Possibilities Program, which provides resocialization and skills training.¹⁸⁷⁰

In 1997, the government signed an agreement with the World Bank and other donors for a Social Investment Fund to support social assistance and income generation activities.¹⁸⁷¹ The government also collaborated with UNICEF on the Child and Youth At Risk Program designed to address child labor issues and increase school attendance through poverty alleviation efforts and a public-awareness campaign. However, it is reported that the effectiveness of these activities has been hampered by the country's poor economic conditions, limited resources and lack of information about the full extent of the country's child labor problem.¹⁸⁷² The Ministry of Education has instituted a cost-sharing program to help parents pay school fees at the secondary level.¹⁸⁷³

During the mid-to-late-1990s, the government implemented several reforms to its educational systems designed to correct inequities in access to quality education and to improve educational achievement. These included curriculum revisions, construction of more classroom space, a grade four literacy test, provision of textbooks and school meals, and other efforts.¹⁸⁷⁴

¹⁸⁶⁷ ILO-IPEC, *National Programme for the Prevention and Elimination of Child Labour in Jamaica and SIMPOC Survey*, project document, JAM/P50/USA, Geneva, June 2001, 13.

¹⁸⁶⁸ *Ibid.*, Annex 1.

¹⁸⁶⁹ *Ibid.*, 11.

¹⁸⁷⁰ U.S. Department of State, *Country Reports on Human Rights Practices- 2001: Jamaica*, Washington, D.C., March 4, 2002, 2915-16, Section 5 [cited December 23, 2002]; available from <http://www.state.gov/g/drl/rls/hrrpt/2001/wha/8325.htm>.

¹⁸⁷¹ ILO-IPEC, *National Programme Jamaica*, project document, 12.

¹⁸⁷² U.S. Embassy- Kingston, *unclassified telegram no. 1622*, June 2000.

¹⁸⁷³ U.S. Embassy- Kingston, *unclassified telegram no. 2589*, October 2001.

¹⁸⁷⁴ ILO-IPEC, *National Programme Jamaica*, project document, 12-13.

Incidence and Nature of Child Labor

Recent statistics on the number of working children under the age of 15 in Jamaica are unavailable. In 1994, a labor force survey conducted by STATIN, in collaboration with UNICEF, estimated that 4.6 percent of children ages 6 to 16 years were working in Jamaica. According to the survey, 22,000 children were working.¹⁸⁷⁵ Although it is dated, this statistic provides the best available estimate on the number of children working. It will be replaced with the final SIMPOC results, as soon as the survey is complete. While child labor is not reported to be a significant problem in Jamaica's formal industrial sector,¹⁸⁷⁶ children are found working in informal activities, notably in fishing, agriculture and tourism.¹⁸⁷⁷

Child labor is largely urban-based, the result of high levels of poverty and the lack of family income.¹⁸⁷⁸ Children live and work on the streets in increasing numbers in Jamaica,¹⁸⁷⁹ and are involved in such activities as begging, newspaper and cigarette vending, cart pushing, and windshield washing. Children also work as shop assistants and domestic servants.¹⁸⁸⁰ In some villages, children catch, scale and gut fish.¹⁸⁸¹ In agriculture, children work on family farms and with the cultivation and harvesting of marijuana.¹⁸⁸² In tourist towns, children are reported to work in kitchens, hotels and recreational and cultural activities.¹⁸⁸³

A study funded by ILO-IPEC found that children as young as 10 years old work as prostitutes, catering to tourists in areas such as Montego Bay, Kingston and Negril,¹⁸⁸⁴ while other young girls are hired by go-go clubs or massage parlors.¹⁸⁸⁵

Under the Education Act of 1965, school is free and compulsory for children between the ages of 6 and 12 years.¹⁸⁸⁶ In 1998, the gross primary enrollment rate was 97.7 percent, and the net primary

¹⁸⁷⁵ Ibid., 7.

¹⁸⁷⁶ U.S. Embassy- Kingston, *unclassified telegram no. 2589*.

¹⁸⁷⁷ ILO-IPEC, *National Programme Jamaica, project document*, 7,8.

¹⁸⁷⁸ Government of Jamaica, *End Decade Assessment of World Summit for Children Year 2000 Goals, National Report: Jamaica*, UNICEF, New York, November 2000, 51 [cited September 6, 2002]; available from http://www.unicef.org/specialsession/how_country/edr_jamaica_en.PDF.

¹⁸⁷⁹ Ibid.

¹⁸⁸⁰ ILO-IPEC, *National Programme Jamaica, project document*, 7-8.

¹⁸⁸¹ Claudette Richardson-Pious, Executive Director, Children First, interview with USDOL official, July 2000.

¹⁸⁸² ILO-IPEC, *National Programme Jamaica, project document*, 7.

¹⁸⁸³ Ibid.

¹⁸⁸⁴ ILO-IPEC, *Situation of Children in Prostitution: A Rapid Assessment*, Geneva, November 2001, 13. See also ECPAT International, *Jamaica*, in ECPAT International, [database online] 2002 [cited September 6, 2002]; available from http://www.ecpat.net/eng/Ecpat_inter/projects/monitoring/online_database/index.asp.

¹⁸⁸⁵ ILO-IPEC, *Situation of Children in Prostitution*, 13.

¹⁸⁸⁶ UNESCO, *Index of Education Systems: Jamaica*, UNESCO, [cited September 6, 2002]; available from <http://www.unesco.org/iau/cd-data/jm.rtf>.

enrollment rate was 92.4 percent.¹⁸⁸⁷ In spite of high enrollment rates, many Jamaican children (between 19 and 25 percent) fail to attend primary school regularly.¹⁸⁸⁸ Some families keep their children home because they cannot afford to pay school expenses.¹⁸⁸⁹ Although schooling is free at the primary level, reports indicate that some local schools and parent teacher organizations nonetheless collected fees.¹⁸⁹⁰ Other reports attribute low school attendance to the lack of relevant curricula, the lack of space in schools (especially at the secondary level) and the low quality of instruction.¹⁸⁹¹

Child Labor Laws and Enforcement

The Juveniles Act of 1951 prohibits the employment of children under the age of 12 years, except in family domestic, agricultural or horticultural work.¹⁸⁹² Children under 15 may not be employed in industrial work. They are also prohibited from working on ships, except where only family members are employed.¹⁸⁹³ Children under 16 are prohibited from night work and from begging.¹⁸⁹⁴ Forced labor is not specifically banned.¹⁸⁹⁵ The Criminal Code prohibits procuring a girl under 18 years of age for the purposes of prostitution, and while there is no comprehensive law against trafficking in persons, the Criminal Code prohibits procuring a woman or girl to leave the island for work in prostitution.¹⁸⁹⁶ Immigration or customs laws may also be applied to prosecute cases of child trafficking.¹⁸⁹⁷

Jamaica's police are responsible for addressing child labor related complaints, while the Ministry of Health places children in safe locations once they are withdrawn from work.¹⁸⁹⁸ Under the Juveniles Act, child labor violators can be subject to a fine of JMD 50 (USD 1) or three months imprisonment.¹⁸⁹⁹ Acts of prostitution in violation of the Criminal Code are punishable by up to

¹⁸⁸⁷ World Bank, *World Development Indicators 2002* [CD-ROM], Washington, D.C., 2002.

¹⁸⁸⁸ UNICEF, *Changing the Future for Jamaica's Children*, Kingston, August 1999, 5, 6.

¹⁸⁸⁹ *Ibid.* See also ILO, *Review of Annual Reports Under the Follow-up to the ILO Declaration on Fundamental Principles and Rights at Work, Part II, Compilation of Annual Reports by the International Labor Office*, Geneva, March 2000, 299.

¹⁸⁹⁰ U.S. Embassy- Kingston, *unclassified telegram no. 2589*.

¹⁸⁹¹ ILO-IPEC, *National Programme Jamaica, project document*, 9-11. See also UNICEF, *Changing the Future*, 6.

¹⁸⁹² *Juveniles Act of 1951*, Part 8, Section 71.

¹⁸⁹³ *Ibid.*, Part 8, Section 72. Industrial activities prohibited for children under 15 include mines, quarries, breweries, shipbuilding, and factories. Embassy of Jamaica, *Submission to USDOL regarding Request for Information on Efforts by Certain Countries to Eliminate the Worst Forms of Child Labor*, Washington, D.C., September 6, 2000, 1.

¹⁸⁹⁴ U.S. Embassy- Kingston, *unclassified telegram no. 2589*.

¹⁸⁹⁵ U.S. Department of State, *Country Reports- 2001: Jamaica*, 2916-17, Section 6c.

¹⁸⁹⁶ Government of Jamaica, *Criminal Code*, Articles 58(a) and 58(c) [cited December 23, 2002]; available from <http://www.protectionproject.org>.

¹⁸⁹⁷ U.S. Department of State, *Country Reports- 2001: Jamaica*, 2916-17, Section 6f.

¹⁸⁹⁸ U.S. Embassy- Kingston, *unclassified telegram no. 2589*.

¹⁸⁹⁹ *Ibid.* For currency conversion see FX Converter, [online] [cited September 6, 2002]; available from <http://www.carosta.de/frames/convert.htm>.

three years imprisonment.¹⁹⁰⁰ Enforcement of child labor laws in the informal sector is reported to be inadequate.¹⁹⁰¹ There is limited information available on prosecutions or convictions for related offenses, but it is reported that since fines have not kept pace with the depreciation in the exchange rate, judges often impose criminal penalties in lieu of fines.¹⁹⁰²

The Government of Jamaica has not ratified ILO Convention 138 or ILO Convention 182.¹⁹⁰³

¹⁹⁰⁰ *Criminal Code*, Article 58.

¹⁹⁰¹ U.S. Embassy- Kingston, *unclassified telegram no. 2589*.

¹⁹⁰² U.S. Embassy- Kingston, *unclassified telegram no. 2907*, October 2002.

¹⁹⁰³ ILO, *Ratifications by Country*, in ILOLEX, [database online] [cited September 6, 2002]; available from <http://ilolex.ilo.ch:1567/cgi-lex/ratifce.pl?Jamaica>.