



# International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families

Distr.: General

2 May 2025

Original: English

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## Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families Fortieth session

### Summary record of the 597th meeting

Held at the Palais Wilson, Geneva, on Thursday, 10 April 2025, at 10 a.m.

*Chair:* Ms. Diallo

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*The meeting was called to order at 10 a.m.*

**Consideration of reports submitted by States Parties under article 73 of the Convention** *(continued)*

*Examination of the implementation of the Convention by Jamaica in the absence of a report (continued)* (CMW/C/JAM/QPR/1-2)

1. *At the invitation of the Chair, the delegation of Jamaica joined the meeting.*
2. **The Chair** said that she wished to thank the delegation and the Government of Jamaica for having submitted the State Party's initial periodic report since the Committee's previous meeting. Because the report had just been received, it had not yet been issued in document form.
3. **A representative of Jamaica** said that the Government of Jamaica affirmed its commitment to the rights of refugees and asylum-seekers pursuant to its treaty obligations as a Party to the Convention relating to the Status of Refugees. While her delegation noted the concern raised by the Committee over the lack of national legislation on asylum-seekers, the Government had maintained its commitment to its treaty obligations, which was emphasized in its 2009 national refugee policy. Under the policy, applications for refugee status were measured against the applicant's ability to establish a well-founded fear of being persecuted for his or her race, religion, nationality, membership of a particular social group or political opinion.
4. All asylum-seekers were interviewed by immigration officers upon arrival or when authorities were otherwise informed of their entry into the country to determine whether they could be granted leave to stay. Those who spoke only a foreign language were provided with an interpreter to assist with that process. The persons were also screened by health officials and received treatment where necessary. To date, under the policy, more than 70 asylum-seekers had gone through the refugee status determination procedure or were awaiting a decision on appeal. With regard to the questions raised about the rights of Haitian nationals in the country, Jamaica maintained a strong rights-based approach under its laws and Constitution, and the 2009 policy was applied equally to nationals of all countries without discrimination. That was evidenced by the fact that 37 Haitian nationals who had arrived in Jamaica on 10 July 2023 had been granted immediate access to refugee status determination procedures and were currently in Jamaica under the care and protection of the Government while their applications were being processed.
5. **A representative of Jamaica** said that the Charter of Fundamental Rights and Freedoms gave every citizen of Jamaica qualified to be registered as an elector the right to be registered as such and to vote. A person was qualified for registration if he or she was a citizen of Jamaica and resident in Jamaica as at the date of registration, or if he or she was a Commonwealth citizen other than a citizen of Jamaica who was resident in Jamaica as at the date of registration.
6. All children born in Jamaica were entitled to birth registration under Jamaican law. The Constitution provided that a person could become a citizen of Jamaica by birth or descent or by marriage to a citizen of Jamaica. Citizenship could be thus acquired regardless of the immigration status of the parents. The Registrar General Department was responsible for birth registration and routinely conducted public outreach and registration drives. For children born abroad to Jamaican migrant workers, birth registration could be facilitated through the country's diplomatic missions. The Passport, Immigration and Citizenship Agency, in collaboration with the Ministry of Foreign Affairs and Foreign Trade, provided support for citizenship registration and the issuance of passports to children of Jamaican nationals born overseas.
7. **A representative of Jamaica** said that all migrant children in conflict with the law enjoyed the same due process rights as Jamaican citizens, including the right to legal representation. The Child Care and Protection Act of 2004 provided a comprehensive framework for the care and protection of children in conflict with the law. A child was defined under the law as a person who was under the age of 18 years. All children were treated equally once they were present in Jamaica, regardless of nationality. The Child Diversion Act of 2018

provided for child-friendly alternative measures to deal with children in conflict with the law. The child diversion programmes provided for under the Act could require participants to accept supervision or guidance by a mentor, attend a vocational training or educational institution or attend counselling or therapy sessions.

8. **A representative of Jamaica** said that the Revised Treaty of Chaguaramas, which had established the Caribbean Community (CARICOM) Single Market and Economy, contained several provisions for the movement of people for the purpose of seeking employment. It also put in place the institutional framework for the protection of migrant workers within the CARICOM region. Under the Treaty, member States committed themselves to the goal of free movement of their nationals within the Community. Jamaica had made the necessary arrangements to facilitate the entry of skilled migrants into its territory in accordance with the Foreign Nationals and Commonwealth Citizens (Employment) Act, as amended in 2011. Under the Act, nationals of other CARICOM member States could establish businesses and services in Jamaica and were exempt from obtaining work permits.

9. CARICOM, in collaboration with the International Labour Organization (ILO), had recently sought proposals from consultancies for a study entitled “Free Movement of Persons in the CARICOM Region: Undertaking Labour Market Analysis in the Region”, which was aimed at shaping regional migration policy and providing a comprehensive understanding of the economic, employment, labour and migration dynamics in CARICOM countries. It would also explore the effects of climate change on jobs and labour mobility.

10. The Government, through the Ministry of Labour and Social Security, conducted routine inspections to ensure compliance with fair labour standards for all workers, including migrants. Jamaican law guaranteed equal treatment regarding wages, occupational safety and social benefits under the Labour Relations and Industrial Disputes Act. Under that Act and the Employment Act, the Government continued to strengthen its inspection and enforcement capacity in sectors with a high proportion of migrant workers.

11. **A representative of Jamaica** said that the rights of migrants who were detained for violations of the country’s immigration laws were protected in accordance with the law. When individuals entered Jamaica irregularly, typically through unofficial ports, they were apprehended by the Jamaican police and held at local stations near their point of entry. The Passport, Immigration and Citizenship Agency assisted the police in specialized screening. Police and immigration officers interviewed the migrants. If they did not speak English, an interpreter was provided. Migrants were assessed to determine if they were victims of trafficking and to verify their identity if they lacked documents. If the migrant was from a country that maintained consular relations with Jamaica, the consular representative was contacted. Migrants could request representation and apply for refugee status. Those who sought asylum were not removed from Jamaica during the application process.

12. Foreign migrants who entered Jamaica irregularly were detained on the basis of how they had entered the country. To minimize stigma, they were not classified as criminals. Due to limited resources, those migrants were initially held at local police stations. While they were in custody, the Department of Correctional Services ensured that they were not held with convicted persons. Under the Corrections Act, specific spaces could be designated as remand centres, even within adult correctional facilities. Currently, there were designated remand centres for male and female migrants. Children were handed over to the Child Protection and Family Services Agency and cared for in age-appropriate facilities. Financial constraints did not allow for all families to be kept together at all times, as the welfare of children was the primary concern and children were never held in the remand centres. Since 2024, Jamaica had spent over 30 million Jamaican dollars (J\$) to provide housing for migrants in irregular situations to ensure that families were not separated.

13. In 2023, a camping site in Robin’s Bay, St. Mary, and a refurbished training centre in Cape Clear had been used to house migrants, helping to keep families together and away from correctional facilities. Migrant children were housed in State-run facilities to ensure their safety and access to services, including education. However, parents could choose to have their children stay with them at the minimum security facility at Camp Cape Clear. No person in the custody of the State was subjected to inhumane or deplorable conditions.

14. Furthermore, 148 major renovation projects had been completed on facilities holding persons who had irregularly entered Jamaica, including police stations, at a cost of J\$ 2.15 billion. Other projects included three new stations with lock-up facilities at a cost of almost J\$ 370 million, in Buff Bay, Port Antonio and Olympic Way, which were particularly important because those were often the points of entry for irregular migrants. Construction on a number of other projects was near completion and police infrastructure improvements were under way at the Westmoreland and St. Catherine police headquarters at a cost of J\$ 2.7 billion and J\$ 2.2 billion respectively.

15. However, more needed to be done, particularly at the minimum security facility at Camp Cape Clear, which the Government of Jamaica had identified as being one of the most suitable facilities for accommodating foreign nationals, including Haitian and Cuban nationals. The Government had taken a multi-ministerial approach to Camp Cape Clear, including site inspections by the Ministry of Health and Wellness since July 2023 and the weekly provision of food supplies coordinated by the Ministry of Labour and Social Security, to ensure that the proper care was being provided to migrants, in line with international standards.

16. **A representative of Jamaica** said that migrant workers who participated in seasonal work programmes were covered by the national insurance scheme, which provided various social security benefits, including a maternity allowance, a retirement pension, a disability benefit, a widow's benefit, funeral grants, an employment injury disability benefit and an employment injury death benefit. Challenges included delays in accessing income tax refunds from Canada, which the Government of Jamaica was addressing with the Canadian Revenue Agency.

17. Jamaica had reciprocal social security agreements with several countries, including the United Kingdom, Canada and 12 CARICOM States, to protect migrant workers' rights, ensure equal treatment and prevent dual contributions. Special provisions existed for certain groups such as international transport workers and self-employed persons. Informal sector workers and domestic workers could also contribute to and benefit from the national insurance scheme.

18. **A representative of Jamaica**, noting the significant number of Rastafarians who had emigrated to Ethiopia after Emperor Haile Selassie's visit to Jamaica in 1966, said that the Ethiopian World Federation had played a major role in administering land grants in Shashamene for Rastafarians. However, there had been reports of tension and discrimination against Rastafarians in Shashamene. The Jamaican High Commission in Pretoria, which was also accredited to Ethiopia, was aware of those issues and was working with the network of honorary consuls in South Africa to address them.

19. **A representative of Jamaica** said that access to free primary education was ensured for all children living in Jamaica, regardless of their nationality. Migrant children could be enrolled in school upon the provision of basic documentation, including a birth certificate. In cases where full documentation was not immediately available, school administrators could exercise their discretion in facilitating the enrolment of children. The process was supported by the Child Protection and Family Services Agency. Students were provided with interpreting and translation services if needed, including in the context of standardized testing. Shadow support was provided for students with disabilities, regardless of their immigration status. The Ministry of Education and Youth continually reviewed and enhanced its policy frameworks to ensure that schools were equipped to provide inclusive, child-centred support to all students, including those from migrant backgrounds. The Government's efforts in that area were complemented by the work of civil society and international partners.

20. Jamaica had an agreement with the United States of America concerning the return of Jamaican migrants, including migrants who had been convicted of a criminal offence in the United States and were returned to Jamaica once they had served their sentence. The figure reported by the media in February 2025 reflected returns made under that agreement, not as a result of the recent changes in United States immigration policy. The Government of Jamaica expected to see an increase in returns following those changes but was unable to predict the scale or impact of the increase.

21. **A representative of Jamaica** said that implementation of the National Policy on International Migration and Development and the related action plan had been delayed owing to the coronavirus disease (COVID-19) pandemic. A review of the action plan had been scheduled for the first half of 2025. Several of the national goals and outcomes set out in Vision 2030 Jamaica were connected to migration; one of the outcomes, for example, was a healthy and stable population. In addition, the National Population and Sustainable Development Policy contained a full section on migration, the aim being to manage and mobilize international migration to support the country's national development. The objectives set out in the Policy included creating the conditions that would make migration a matter of choice; improving the integration of immigrants and the reintegration of returnees in Jamaica; and establishing a migration data management system to monitor migration and inform policy development.

22. **A representative of Jamaica** said that Jamaica faced several challenges relating to the delivery of consular services. The practice of concurrent accreditation made it hard to deliver services effectively in some countries, despite the support provided by honorary consuls. Diplomatic missions had only limited financial resources available for responding to Jamaicans in distress, such as those who had been incarcerated. In addition, it was sometimes difficult to keep track of Jamaican nationals overseas owing to a lack of data. With that in mind, the Government had recently launched a diaspora registration mobile application that would enable Jamaicans around the world to register and view information about social and economic engagement opportunities in Jamaica.

23. **A representative of Jamaica** said that migrants in an irregular situation could contest removal decisions through administrative and judicial channels. The enforcement of a removal decision was not automatically suspended in the event of appeal; however, the court could issue a stay of removal to ensure that deportation did not occur while the case remained pending. Legal assistance was available to persons who could not afford legal representation. Efforts were made to facilitate access to consular support for migrants facing deportation.

24. Repatriation was an administrative process governed by the rule of law and aligned with the relevant human rights standards. The Government did not pursue repatriation arbitrarily or as a punitive measure. The Passport, Immigration and Citizenship Agency was responsible for coordinating repatriation procedures, in collaboration with its national and international partners. Migrants in irregular situations were identified through border management systems, police reports or immigration enforcement operations. Their cases were processed in accordance with the Aliens Act and they were informed of their rights and the applicable procedures. Their vulnerability was evaluated and they were referred to support services where necessary. The Ministry of Foreign Affairs and Foreign Trade liaised with the relevant foreign authorities and diplomatic missions to secure travel documents and ensure consular access for the migrants concerned. The Government prioritized a safe and dignified return process and encouraged voluntary return where possible, with support from the International Organization for Migration (IOM).

25. Repatriations were conducted via commercial or chartered flights. Detention was used only as a last resort, for the shortest possible duration and with due regard for the rights and dignity of the person concerned. Special consideration was given to cases involving children and families. The Passport, Immigration and Citizenship Agency kept records of all repatriation cases and worked with the Ministry of National Security to review procedures and trends. Although disaggregated data were not yet available, efforts were being made to improve digital systems and strengthen inter-agency coordination in that area. A number of Haitian migrants were being temporarily housed in Cape Clear, where they were treated humanely and with respect.

26. **A representative of Jamaica** said that, while the Constitution did not explicitly mention child labour, it provided general protection for children's rights, including the right to education and the right to protection from exploitation. The Child Care and Protection Act covered issues such as child labour, child abuse and neglect. It established the responsibilities of parents, caregivers and the State in ensuring children's well-being and gave the authorities the power to intervene in cases where children were at risk. Jamaica was a signatory to several treaties for the protection of children's rights, including the Convention on the Rights of the Child and the ILO Worst Forms of Child Labour Convention, 1999 (No. 182).

27. In 2015, Jamaica had become the first Caribbean country to appoint a National Rapporteur on Trafficking in Persons. The Rapporteur was responsible for monitoring the Government's anti-trafficking efforts and for providing independent, victim-centred, trauma-informed assessments in line with the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.

28. **A representative of Jamaica** said that the Trafficking in Persons (Prevention, Suppression and Punishment) Act had been amended in 2021 to remove the option of fines as a sentence for certain offences, among other things. The Act was enforced with due regard for the right to freedom from discrimination, and no communities had been disproportionately affected by the application of the Act in 2024. The Government was considering avenues for bilateral cooperation in the area of trafficking in persons. The National Rapporteur on Trafficking in Persons was currently serving as the Chair of the Caribbean Coalition Against Trafficking in Persons, a regional non-profit organization set up to coordinate and promote activities to eliminate the buying, selling and exploitation of people in the Caribbean.

29. There were several 24-hour hotlines that provided support to victims of trafficking in persons in both English and Jamaican patois, including a hotline for children and adolescents run by the Office of the Children's Advocate. There were victim support units within several government agencies. The National Task Force against Trafficking in Persons had provided training to a large number of public servants in 2024, including 331 police officers, 293 nurses and 74 teachers; in the tourism sector, over 2,500 participants had been trained to spot cases of human trafficking. The authorities had produced several documents on the identification of victims of trafficking, including protocols and standard operating procedures, on which training was provided. The United Nations Office on Drugs and Crime (UNODC) First Aid Kit for Use by Law Enforcement First Responders in Addressing Human Trafficking was also used.

30. **A representative of Jamaica** reiterated that all national legislation was premised on the principle of non-discrimination enshrined in the Constitution.

31. **Ms. Dzumhur** (Country Rapporteur) said that she would appreciate further information in response to the Committee's questions concerning the status of the national human rights institution and the dissemination of information about the Convention. She would be interested to know why Jamaica had not submitted a voluntary report on the implementation of the Global Compact for Safe, Orderly and Regular Migration. She wondered whether the Government had requested assistance with reporting under the Convention and other treaties from United Nations agencies such as the Office of the United Nations High Commissioner for Refugees (UNHCR) and IOM. Lastly, she would welcome more information on the protection and support provided to Jamaican returnees.

32. **Mr. Frasher** (Country Rapporteur) said that it would be helpful if the delegation could provide examples of inconsistencies between national legislation and the Convention that had been identified during legislative reviews. He would appreciate more information on the training provided to public officials on the Convention, including the number of people trained and the content of the training. He wondered how judges made use of the Convention and whether they referred to the Committee's general comments and concluding observations. Lastly, he would be interested to know whether there was any inter-agency coordination focusing on migrant workers specifically, as opposed to migrants in general.

33. **Mr. Kariyawasam** (Country Rapporteur), welcoming the work of the National Working Group on International Migration and Development and the system in place for the vetting and licensing of employment agencies, said that the Committee welcomed the introduction of positive initiatives, such as the Child Care and Protection Act, to ensure the enforcement of child maintenance obligations, even across borders. He would like to know whether there was a cap on the amount that employment agencies could charge people seeking work abroad and, if so, how the application of the cap was monitored. The establishment of the Inter-Ministerial Committee on Human Rights was also to be commended, although Jamaica was not a party to two of the nine core international human rights treaties, including the Convention against Torture and Other Cruel, Inhuman or

Degrading Treatment or Punishment. It would be helpful to learn about the composition of the Inter-Ministerial Committee and how it functioned in practice. Given that it was chaired by the Ministry of Foreign Affairs and Foreign Trade, he wondered if it could submit recommendations to the Government regarding the promotion and protection of all human rights.

34. He would be grateful for information about the numbers of Cubans who arrived in Jamaica seeking work and asylum and what measures the State Party had in place to manage such migration. Did the State Party receive assistance from UNHCR to process asylum applications?

35. **Ms. Gahar** said that she would like to know more about the obstacles encountered by the State Party in collecting qualitative and quantitative data on children in migration situations. Such data seemed especially important for informing the development and evaluation of programmes aimed at such children.

36. The Committee would like to know whether the provisions of the Child Care and Protection Act that dealt with refugee children who were in conflict with the law also applied to children in migration situations, including unaccompanied and separated children. It would also be useful to learn whether the report submitted by the Office of the Children's Advocate to Parliament was aligned with the State Party's treaty obligations in relation to the rights of children living in Jamaica, regardless of their nationality, including the children of migrant workers. More detailed information on the work of the Office, specifically in connection with unaccompanied and separated children, would be welcome.

37. She failed to understand why the age of sexual consent was set at 16 years of age, according to the State Party's report, while the Child Care and Protection Act and the Trafficking in Persons (Prevention, Suppression and Punishment) Act both defined a child as a person under 18 years of age, in line with international instruments. Lastly, she would welcome additional information on the reference, in the report, to "illegal migrant minors".

38. **Mr. Charef** asked how many Jamaicans lived abroad. If such statistics did not exist, he wondered how the State Party went about designing effective development initiatives with the Jamaican diaspora in mind.

39. **The Chair**, noting that the State Party was one of the few nations to have ratified the ILO Domestic Workers Convention, 2011 (No. 189), said that the application of that Convention concerned not only domestic workers employed abroad, including in embassies and consulates, but also those working in Jamaica. She would therefore like to know what training on Convention No. 189 was available to public servants generally, and labour inspectors specifically, to ensure its effective implementation.

40. **Mr. Ünver** said that it was often difficult to obtain accurate data on the so-called diaspora, especially for a country such as Jamaica, as a large proportion of Jamaicans living abroad, especially in the United States, had been assimilated into the receiving countries. He wondered how the State Party's authorities would go about obtaining such data.

*The meeting was suspended at 11.30 a.m. and resumed at 11.45 a.m.*

41. **A representative of Jamaica** said that police officers, nurses and social workers received training on issues relating to trafficking in persons, including the conduct of investigations and victim identification and care. The documentation used to train personnel included a training manual published by IOM on the investigation of human trafficking cases, a handbook developed by the International Criminal Police Organization (INTERPOL) and the UNODC Human Trafficking First Aid Kit. There was also training available free of charge for the general public on the website of the National Rapporteur on Trafficking in Persons. There had been three convictions for trafficking in persons in 2023 and two in 2024.

42. **A representative of Jamaica** said that the Ministry of Labour and Social Security was responsible for monitoring the operations of private employment agencies, on the basis of the Employment Agencies Regulation Act. Trained ministerial staff conducted inspections of agencies on a regular basis. Significant efforts were made to identify and shut down any unlicensed operators, with the assistance of law enforcement personnel. Awareness-raising activities were frequently carried out for such personnel, and private employment agencies

received regular reminders of their obligations under the Act. Before a licence was granted, inspectors visited the agency to be sure that it met the requirements stipulated in the Act. Agencies must operate from a physical location and must visibly display documentation regarding their licence, once obtained. In addition, they must be able to present contracts proving that they were in fact providing jobs and were working with employers abroad. The maximum fee that they could charge a person seeking work overseas was J\$ 45,000, in addition to a maximum registration fee of J\$ 2,500; if found to be charging more than those sums, they could be brought before the courts.

43. **A representative of Jamaica** said that her Government had received some assistance in the preparation of its report to the Committee on the Elimination of Discrimination against Women and would consider requesting assistance from IOM for the preparation of its next report to the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families.

44. **A representative of Jamaica** said that, although no training specific to the Convention was provided, a number of outreach activities were conducted to raise public awareness about migration-related issues, including migrant protection abroad. The Ministry of Labour and Social Security met regularly with private employment agencies to provide them with information on updated policies in respect of their operations; training on migration issues was also provided to law enforcement personnel. IOM provided assistance to front-line staff of the Ministry of Labour and Social Security who dealt with migration issues and trafficking in persons. Migrant workers were given information on similar topics at pre-departure orientation sessions, including how to identify situations of trafficking in persons and how to report violations.

45. **A representative of Jamaica** said that, although Jamaica was not a party to the Convention against Torture, section 13 (3) of the Charter of Fundamental Rights and Freedoms established the right to protection from torture, or inhuman or degrading punishment or other treatment.

46. **A representative of Jamaica** said that the Inter-Ministerial Committee on Human Rights was composed of representatives of 19 ministries, departments and agencies of the Government of Jamaica. The terms of reference were currently under review. Essentially, the members of the Committee served as points of contact for human rights issues in their respective institutions. The Committee's main tasks were raising awareness about emerging human rights developments; preparing, under the leadership of the Ministry of Justice, a national human rights agenda; preparing national reports to the Human Rights Council and other human rights bodies; developing an action plan in follow-up to the recommendations issued under the universal periodic review and by international human rights treaty bodies; meeting with civil society and human rights advocates to support efforts aimed at raising awareness about the promotion and protection of human rights; and recommending, as appropriate, amendments to legislation.

47. **A representative of Jamaica** said that returning migrants, regardless of whether they had returned voluntarily or involuntarily, could make a substantial contribution to the country's development. Accordingly, in the 1990s, the Government had run several successful programmes through which nationals employed abroad in certain sectors had been offered financial incentives to return to Jamaica. The Ministry of National Security was currently spearheading a number of initiatives to promote the reintegration of voluntary and involuntary returnees. Returning migrants were asked to provide information on their employment history and job preferences. That information was used as a basis on which to determine what support, such as training, upskilling, reskilling and job placement or business creation services, should be made available to them. Returnees were able to participate in career guidance workshops, skills development programmes, job fairs, networking events and coaching programmes. They were offered entrepreneurship opportunities and could take on gig work. The Ministry of Health and Wellness was responsible for ensuring that returnees had access to psychosocial support. Shelter and other basic amenities were provided by both governmental and non-governmental organizations.

48. **A representative of Jamaica** said that, while the Government had general data on the number of Jamaican nationals who had emigrated to countries such as the United States,



the United Kingdom and Canada, the data did not reveal what proportion of those nationals were migrant workers. Efforts to obtain specific data on the number of Jamaican migrant workers abroad were taking longer than anticipated. Nonetheless, some data on the number of nationals who held foreign work permits had already been gathered by the Ministry of Labour and Social Security, and it was hoped that, once operational, the migration database would provide more detailed information on Jamaican migrant workers.

49. **A representative of Jamaica** said that the Government was in the process of amending national laws, such as those on the minimum wage, to ensure that domestic workers were afforded the protection to which they were entitled under the ILO Domestic Workers Convention, 2011 (No. 189).

50. **A representative of Jamaica** said that, pursuant to the Labour Officers (Powers) Act, labour inspectors had the right to enter workplaces and conduct investigations in response to complaints. They received occasional training and were informed of any updates to labour laws and policies. The Ministry of Finance and the Public Service had recently approved a significant increase in the number of labour officers. National labour laws provided for the protection of the rights of all persons living and working in the country, irrespective of whether they were Jamaican citizens or migrants. Any employers who were found to be in breach of those laws and who refused to cooperate could be brought before the courts. Migrant workers who considered that they had been unfairly dismissed had the right to bring their case before the Industrial Disputes Tribunal.

51. **A representative of Jamaica** said that Jamaica was a dualist State, meaning that the provisions of international instruments had direct force only if they had been transposed into national law. There had been instances, however, in which counsel and judges had referred to such provisions to support their arguments in the courts.

52. Any proposed amendments to national law were first discussed during consultations with the relevant government bodies, civil society organizations and other interested parties, in parallel to which a policy paper analysing the need for such amendments was prepared. The completed policy paper was then submitted to the Cabinet so that it could decide whether the amendment was justified. In the event that the Cabinet approved the amendment, drafting instructions were submitted to the Office of the Parliamentary Counsel, which was responsible for preparing bills. Consultations on the instructions were held with the Attorney General's Chambers and all competent government bodies. The final version of the instructions was used to prepare the bill, which would also be the subject of consultations. Bills underwent multiple readings before being voted on in the House of Representatives. Those accepted by the House were then reviewed by the Senate and, if approved by that body, submitted to the Governor-General for royal assent, which was required for a bill to become an enforceable law.

53. The Government was aware of the need to modernize national immigration laws to bring them into line with the provisions of the international instruments to which Jamaica was a party. Papers outlining the amendments to be made to the Immigration Restriction (Commonwealth Citizens) Act and the Aliens Act were due to be submitted to the Cabinet. The constitutional amendment that would ensure that Commonwealth citizens and other non-Jamaican nationals received the same treatment had passed the second reading in the House of Representatives and was being closely examined to determine whether any modifications should be made to it before the adoption process continued.

54. **A representative of Jamaica** said that the delegation would provide the statistics requested by the Committee and a response to any unanswered questions in writing. While Jamaica did not have a specific coordination body dedicated to migrant workers, the Government continued to make every effort to promote and protect their human rights, including under laws not directly geared towards migrant workers.

55. **Ms. Dzumhur** said that she would like to acknowledge the State Party's efforts to respond to the Committee's questions and hoped that it would submit its next periodic report on time. It would be helpful for the State Party to establish a mechanism to follow up on the recommendations made to it by the human rights treaty bodies and special procedure mandate holders and those received as part of the universal periodic review. The State Party should not hesitate to reach out to its international partners for technical support in that area.

56. **Mr. Frasheri** said that he wished to call on the State Party to take all necessary steps to ensure the implementation and enforcement of the Convention in its territory. The Committee was ready to continue supporting the State Party's authorities to improve their understanding of the Convention and build their capacity to address migration-related issues on the ground.

57. **Mr. Oumaria** (Country Rapporteur) said that, while the delegation was to be commended for its efforts during the review, it was worth recalling that the periodic report played an important role in the interactive dialogue and should thus be submitted on time. The State Party should also do its utmost to establish a national human rights institution, which would help it comply with its treaty obligations.

58. **Mr. Kariyawasam** said that the review was being held at a challenging time for migrants' rights, meaning that the State Party, as a vibrant democracy in the Caribbean, had a special role to play in setting standards to be followed by other States in the region and around the world. It was essential for the State Party's officials to work with the Committee to promote the rights of migrant workers worldwide. The Committee was constantly striving for improvement in that area; it was in that spirit that its concluding observations should be taken.

59. **A representative of Jamaica** said that she wished to convey her delegation's deepest gratitude to the Committee for the constructive dialogue and apologize once more for the late submission of the periodic report. The delegation had taken note of the reminder of its obligations under article 73 of the Convention and all the other concerns expressed by Committee members. Her Government would continue to work assiduously to protect the rights of all migrant workers and members of their families.

60. **The Chair** said that she would like to thank the delegation for the excellent dialogue and for its commitment to submit its next periodic report on time, which would enable Committee members to conduct an in-depth review of the situation in the State Party. She hoped that the State Party would implement the Committee's recommendations in full.

*The meeting rose at 12.40 p.m.*