



Convention on the Elimination of All Forms of Discrimination against Women

Distr.: General
15 November 2023

Original: English

Committee on the Elimination of Discrimination against Women

Concluding observations on the eighth periodic report of Jamaica*

1. The Committee considered the eighth periodic report of Jamaica (CEDAW/C/JAM/8) at its 2005th and 2006th meetings (see CEDAW/C/SR.2005 and 2006), held on 12 October 2023. The list of issues and questions raised by the pre-sessional working group is contained in CEDAW/C/JAM/Q/8, and the responses of Jamaica are contained in CEDAW/C/JAM/RQ/8.

A. Introduction

2. The Committee appreciates the submission by the State party of its eighth periodic report due in 2016 and the State party's written replies to the list of issues raised by the pre-sessional working group on its eighth periodic report. The Committee welcomes the oral presentation by the delegation.

3. The Committee commends the State party on its distinguished delegation, which was headed by the Permanent Secretary of the Ministry of Culture, Gender, Entertainment and Sport, Denzil Thorpe, and included representatives of the Ministry of Culture, Gender, Entertainment and Sport, the Ministry of Legal and Constitutional Affairs, the Women's Centre of Jamaica Foundation and the Permanent Mission of Jamaica to the United Nations Office and other international organizations in Geneva. The Committee appreciates the constructive dialogue that took place between the delegation and the members of the Committee but regrets that no answers were provided to some of the questions raised and that some of the answers provided were not sufficiently clear or detailed.

B. Positive aspects

4. The Committee welcomes the progress achieved since the consideration in 2012 of the State party's combined sixth and seventh reports (CEDAW/C/JAM/6-7) in undertaking legislative reforms, in particular the adoption of the following:

- (a) Sexual Harassment (Protection and Prevention) Act, in 2021;

* Adopted by the Committee at its eighty-sixth session (9–27 October 2023).



(b) Evidence (Special Measures) Act, which makes provision for the use of video-recorded evidence and live video links in trials to prevent retraumatization of victims of gender-based violence, in 2015.

5. The Committee welcomes the State party's efforts to improve its institutional and policy framework aimed at accelerating the elimination of discrimination against women and promoting gender equality, such as the adoption or establishment of the following:

- (a) Gender and Climate Change Strategy and Action Plan, in 2022;
- (b) Updated National Policy for Gender Equality, in 2021;
- (c) Gender Advisory Council, in 2018;
- (d) National Strategic Action Plan to Eliminate Gender-Based Violence in Jamaica 2017–2027;
- (e) Gender Equality Seal programme, in November 2016;
- (f) “Way Out: Jamaican Women’s Political and Economic Empowerment” project, in 2013.

C. Sustainable Development Goals

6. **The Committee welcomes the international support for the Sustainable Development Goals and calls for the realization of de jure (legal) and de facto (substantive) gender equality, in accordance with the provisions of the Convention, throughout the process of implementing the 2030 Agenda for Sustainable Development. The Committee recalls the importance of Goal 5 and of the mainstreaming of the principles of equality and non-discrimination throughout all 17 Goals. It urges the State party to recognize women as the driving force of the sustainable development of Jamaica, and to adopt relevant policies and strategies to that effect.**

D. Parliament

7. **The Committee stresses the crucial role of the legislative power in ensuring the full implementation of the Convention (see [A/65/38](#), part two, annex VI). It invites Parliament, in line with its mandate, to take the necessary steps regarding the implementation of the present concluding observations between now and the submission of the next periodic report under the Convention.**

E. Principal areas of concern and recommendations

Visibility of the Convention and the Committee’s general recommendations

8. The Committee is concerned that the Convention and the Committee’s general recommendations are not fully incorporated into domestic law and are still insufficiently known within the judiciary and among legal professionals and that women, in particular rural women, migrant women, lesbian, bisexual, transgender and intersex women, women with disabilities and women heads of household, are often not aware of their rights under the Convention and the remedies available for claiming them.

9. **The Committee recommends that the State party widely disseminate information about the Convention and the Committee’s general recommendations**

and provide mandatory and continuous capacity-building for judges, law enforcement officers and lawyers to ensure that the Convention and the Committee's general recommendations are sufficiently known, used or cited by legal professionals and can be invoked in court proceedings. It also recommends that the State party raise awareness among women of their rights under the Convention and the legal remedies available to them for claiming violations of those rights.

Definition of equality and non-discrimination

10. The Committee reiterates its concern about the absence of a legal definition of the term "discrimination against women" in the Constitution or other legislation, in accordance with article 1 of the Convention, and that the existing definition of discrimination does not cover direct and indirect discrimination in the public and private spheres, in accordance with articles 1 and 2 of the Convention, as well as discrimination based on marital status, disability and sexual orientation or gender identity.

11. **The Committee recommends that the State party adopt, within a clear time frame, a comprehensive definition of discrimination under which discrimination against women is prohibited and which covers direct and indirect discrimination in the public and private spheres, as well as intersecting forms of discrimination, in line with articles 1 and 2 of the Convention, the Committee's general recommendation No. 28 (2010) on the core obligations of States parties under article 2 of the Convention and Sustainable Development Goals target 5.1, which is to end all forms of discrimination against all women and girls everywhere. The Committee recommends that the State party ensure that robust monitoring mechanisms are established to ensure implementation of all related legislation.**

Women's access to justice

12. The Committee notes that the Office of the Public Defender has certain investigative powers relating to constitutional rights. It also notes that the Complaints and Response Protocol procedure is now operational. The Committee further notes that a number of mobile legal aid clinics have been deployed to strengthen access to justice, including by women, in rural and underserved areas. However, the Committee notes with concern:

(a) The lack of information on systematic capacity-building on women's rights and gender equality for the judiciary, law enforcement officials and government departments and on the integration of a gender perspective in the administration of justice;

(b) The lack of trust in the justice system on the part of many women and their limited awareness of their rights and possible remedies for violations;

(c) That the State party has not yet ratified the Optional Protocol to the Convention.

13. **The Committee urges the State party to:**

(a) **Carry out training and capacity-building for the judiciary, legal practitioners, law enforcement officials and other State agents on women's rights, with special emphasis on the Convention, and gender-responsive administration of justice;**

(b) **Raise awareness among women, including disadvantaged groups of women, such as rural women, migrant women, asylum-seeking and refugee women, lesbian, bisexual, transgender and intersex women, women with**

disabilities and women heads of household, of their rights and the legal remedies available to them;

(c) Ensure that women have adequate access to affordable and, if necessary, free quality legal aid;

(d) Ratify the Optional Protocol to the Convention.

National machinery for the advancement of women and gender mainstreaming

14. The Committee welcomes the development of a gender mainstreaming manual for the public sector, the creation of the pilot Gender Ambassadors Programme for students and the Resource Guide/Directory of Services for women. The Committee notes that in 2016, the Bureau of Women's Affairs was the renamed Bureau of Gender Affairs and transferred to the Ministry of Culture, Gender, Entertainment and Sport. It also notes the appointment of a Minister with a specific focus on gender affairs (para. 34) and the establishment of a Gender Advisory Council and gender focal points in various government departments, as well as the allocation of a budget for the updated National Policy for Gender Equality. The Committee notes with concern, however, the limited human and financial resources of the Bureau of Gender Affairs and its dependence on external agencies, adversely impacting its capacity to consistently implement the National Policy for Gender Equality, and the absence of gender targets and indicators to enable coordination and performance monitoring of sectoral gender policies. It regrets the absence of information on how the National Policy for Gender Equality will address emerging issues such as artificial intelligence, robotics and climate change.

15. The Committee recommends that the State party:

(a) Provide adequate human and financial resources to the Bureau of Gender Affairs to allow it to carry out its mandate fully and effectively;

(b) Introduce and implement a policy of gender-responsive budgeting across all government departments and set gender benchmarks and targets for meeting the national gender goals that are aligned with national development priorities across sectors;

(c) Strengthen coordination between the Bureau of Gender Affairs, the cabinet minister appointed to focus on gender affairs, the Gender Advisory Council and gender focal points in the various ministries;

(d) Update and introduce policy governance measures and tools, such as administrative orders, regulations, edicts, special procedures and incentives, to strengthen the authority of the National Women's Machinery for improved oversight and stakeholder accountability in critical sectors;

(e) Ensure that the updated National Policy for Gender Equality addresses emerging issues such as artificial intelligence, robotics and climate change.

National human rights institution

16. The Committee takes note that in 2015, the Cabinet approved the establishment of a national human rights institution (para. 32). It regrets, however, that to date, no such institution has been established.

17. Recalling its previous recommendations (CEDAW/C/JAM/CO/6-7, para. 14), the Committee recommends that the State party expedite the establishment of a national human rights institution, providing it with adequate human, technical and financial resources to discharge its mandate effectively,

independently and in compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles), adopted by the General Assembly in its resolution 48/134 and contained in the annex thereto, and with a strong mandate to promote and protect women's rights and gender equality, including by considering complaints from women and girls in a confidential, gender sensitive manner.

Temporary special measures

18. The Committee takes note of the State party's intention to adopt temporary special measures to address the reported underrepresentation of women in political and public life (paras. 40 and 41). It notes that the Joint Select Committee was established in 2014 to identify specific, practical measures to address systemic gender inequalities which might result in women's underrepresentation in Parliament and local authorities. However, the Committee notes 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.

19. Recalling article 4 (1) of the Convention and its general recommendation No. 25 (2004) on temporary special measures, the Committee recommends that the State party implement temporary special measures, such as quota systems, aimed at accelerating substantive equality of women and men in all areas covered by the Convention in which women, including lesbian, bisexual, transgender and intersex women, rural women, women with disabilities and women heads of household, are underrepresented or disadvantaged, such as political and public life, education, employment and economic empowerment, together with a system to monitor their implementation and the progress achieved.

Gender stereotypes

20. The Committee notes with concern reports of the proliferation of misogynistic music and content on the airwaves and Internet and the frequent portrayal of gender-based violence against women in the media.

21. The Committee recommends that the State party regulate the dissemination of artistic content that promotes gender-based violence against women, develop educational programmes in schools and conduct awareness-raising campaigns, with a special focus on youth, on the negative impact of misogynistic audiovisual content available on the Internet, including songs and music videos.

Gender-based violence against women

22. The Committee welcomes the ongoing review and revision of legislation on gender-based violence, such as the Sexual Offences Act, the Offences Against the Person Act, the Domestic Violence Act and the Child Care and Protection Act, in line with the National Policy for Gender Equality. It notes with appreciation the establishment of a Sexual Harassment Investigation Unit staffed with three sexual harassment investigative officers and one senior sexual harassment investigative officer. It also notes with appreciation the State party's efforts to address domestic and sexual violence, including the launch of a Gender-Based Violence helpline in 2023 and the establishment of three regional shelters. The Committee notes that in 2019, the State party signed the country programme document for the Spotlight Initiative, a broad-based partnership between the United Nations (involving multiple entities), the Government and civil society to address gender-based violence against women and girls. However, it notes with concern that:

- (a) The prevalence of gender-based violence against women remains high;

(b) The amendments to the Domestic Violence Act, which include a new definition of domestic violence, have not yet been adopted despite their approval by the Cabinet in 2021;

(c) The Sexual Offences Act is yet to be amended and therefore marital rape continues to be criminalized only under certain conditions;

(d) Same-sex relations continue to be prohibited under the Offences Against the Person Act (1864).

23. Recalling its general recommendation No. 35 (2017) on gender-based violence against women, updating general recommendation No. 19, and in line with target 5.2 under the Sustainable Development Goals, which is to eliminate all forms of violence against all women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation, the Committee recommends that the State party:

(a) **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, including through gender-responsive programmes and initiatives promoting a change in social and gender norms and cultural perceptions that legitimate gender-based violence socially, and ensure the meaningful engagement of men and boys in ending gender-based violence and discrimination against women and girls;**

(b) **Expedite the adoption of the agreed amendments to the Domestic Violence Act;**

(c) **Revise the Sexual Offences Act to criminalize marital rape in all circumstances;**

(d) **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;**

(e) **Consider ratifying the Violence and Harassment Convention, 2019 (No. 190) of the International Labour Organization (ILO).**

Trafficking and exploitation of prostitution

24. The Committee welcomes the appointment of a National Rapporteur on Trafficking in Persons in 2015 and the launch in 2022 of a National Policy and a National Plan of Action to Combat Trafficking in Persons which recognize the significant problem of trafficking in children, in particular girls, in the State party. The Committee notes with appreciation the inclusion of prevention of trafficking in the education curriculum and takes note that anti-trafficking in persons clubs have been established in schools for students and teachers to sensitize them on the risks of trafficking and provide them with the knowledge and tools needed to prevent their becoming victims of trafficking.

25. Recalling its general recommendation No. 38 (2020) on trafficking in women and girls in the context of global migration, the Committee recommends that the State party:

(a) **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;**

(b) **Create a national referral mechanism to provide protection and assistance to women and girls who are victims of trafficking;**

(c) Strengthen capacity-building and risk assessment procedures within the child protection system.

Equal participation in political and public life

26. The Committee notes that the National Policy for Gender Equality (2011) identified a desired target for women in decision-making positions of 30 per cent and that the proportion of women in Parliament reached 28.5 per cent in September 2020. It also notes that the “Way Out” project, aimed at strengthening women’s political participation by raising gender awareness, will soon enter its second phase (covering the period 2024–2027). The Committee regrets, however, the lack of a quota system and notes that, despite improvements, women remain underrepresented in political and public life. The Committee notes with concern that disadvantaged groups of women, such as women with disabilities, lesbian, bisexual, transgender and intersex women, rural women and women heads of household, are disproportionately underrepresented in political life.

27. Recalling article 7 of the Convention and its general recommendation No. 23 (1997) on women in political and public life, the Committee recommends that the State party:

(a) Strengthen measures to address cultural barriers that prevent women from entering decision-making and management positions, remove discriminatory practices and promote equal representation of women in decision-making positions;

(b) Encourage political parties to nominate equal numbers of women and men as candidates, introduce a zipper system in candidates lists and create an enabling environment for the political participation of women by, inter alia, providing campaign financing and training on political campaigning and leadership skills to women candidates and strengthening women’s wings in political parties;

(c) Promote political participation of women in all their diversity at all levels, including young women, rural women, migrant women, lesbian, bisexual, transgender and intersex women, women with disabilities and women heads of household.

Education

28. The Committee welcomes the fact that the State party has achieved gender parity in education enrolment. It also welcomes the approval in 2013 of a national policy for the reintegration of school-age mothers into the formal school system (para. 80) and the revision of the Health and Family Life Education curriculum. However, it notes with concern:

(a) That the incidence of teenage pregnancy is still high and that only 46 per cent of adolescent mothers in the Women’s Centre of Jamaica Foundation programme were reintegrated into the formal school system, while the remaining 54 per cent attend other non-formal educational institutions;

(b) Continuing high levels of violence in schools;

(c) The high costs and auxiliary fees for secondary schooling, which constitute a barrier for the accessing of education by girls and boys from lower-income families;

(d) Reported teacher bias and discomfort with regard to aspects of the Health and Family Life Education curriculum, especially sexual and reproductive health, family planning and prevention of HIV and sexually transmitted infections, and that

the curriculum does not adequately address issues pertaining to lesbian, bisexual, transgender and intersex women;

(e) Low participation of women and girls in science, technology, engineering and mathematics as well as information and communications technology-related education;

(f) The low number of boys enrolled in the formal education system compared with girls and the potential impact of this situation on the value accorded to girls' education and employment prospects.

29. Recalling its general recommendation No. 36 (2017) on the right of girls and women to education and target 4.1 under the Sustainable Development Goals, which is by 2030, to ensure that all girls and boys complete free, equitable and quality primary and secondary education leading to relevant and effective learning outcomes, the Committee recommends that the State party:

(a) **Increase support to young mothers in continuing their education, including by providing accessible childcare, and carry out an in-depth evaluation to better understand, monitor and address the reasons why many young mothers who have left school do not return to education in the same field of study following childbirth;**

(b) **Further strengthen efforts towards effective implementation of the Safe School Policy, with particular attention paid to protection of groups of girls facing vulnerabilities, such as women and girls with disabilities and lesbian, bisexual, transgender and intersex women and girls; investigate and prosecute cases of bullying, including cyberbullying, sexual harassment and violence in schools; and ensure that perpetrators are adequately punished and victims are provided with rehabilitation and redress;**

(c) **Put in place measures to provide easy access to financial support to cover the costs of secondary education for girls from lower-income families;**

(d) **Evaluate the teaching methods and biases in the Health and Family Lifestyle curriculum, especially relating to the Sexuality and Sexual Health module, to ensure that it meets the requirement of age-appropriate education on sexual and reproductive health and rights in school curricula at all levels, including responsible sexual behaviour and the prevention of pregnancy and sexually transmitted infections;**

(e) **Further strengthen efforts to promote enrolment of girls and women at the secondary and tertiary levels in non-traditional fields of study, in particular science, technology, engineering and mathematics and information and communications technology, as well as environmental sciences, including climate change, marine studies and the blue economy;**

(f) **Put in place a specific strategy and conduct large-scale public campaigns for women and men at all levels of society in order to reaffirm that education is key for opening up opportunities and allowing individuals to achieve more in their careers.**

Employment

30. The Committee welcomes the recent increase in maternity leave and the provision of paternity leave to employees in the public sector. The Committee notes with appreciation the establishment in 2023 of the Sexual Harassment Tribunal to receive complaints under the Sexual Harassment (Protection and Prevention) Act (2021), and the establishment of a Sexual Harassment Investigation Unit within the Bureau of Gender Affairs. It also notes with appreciation that the Employment

Agencies Regulation is being reviewed to facilitate further compliance with the ILO Domestic Workers Convention, 2011 (No. 189). However, the Committee notes with concern:

(a) The disproportionately high unemployment rate of women and their lower participation in the labour force, due primarily to their disproportionate burden of unpaid care work, their concentration in low-paid jobs and their lower representation as employers and land and business owners, at the top executive and board/management levels and in careers in science, technology, engineering and mathematics;

(b) That the Equal Pay for Men and Women Act (1975) neither implements the principle of equal remuneration for work of equal value nor explicitly prohibits gender-based discrimination in recruitment, career development and vocational training and in relation to job security;

(c) The lack of sufficient childcare and elder care facilities to enable women's equal participation in the labour force.

31. The Committee draws attention to target 8.5 of the Sustainable Development Goals, which is by 2030, to achieve full and productive employment and decent work for all women and men, including for young people and persons with disabilities, and equal pay for work of equal value, and recommends that the State party:

(a) **Research and establish the root causes of unemployment among women, in particular their unequal burden of unpaid care work, and eliminate horizontal and vertical occupational segregation;**

(b) **Finalize the review of the Equal Pay for Men and Women Act (1975) and amend it to include the principle of equal remuneration of women and men for work of equal value and to explicitly prohibit gender-based discrimination in recruitment, career development and vocational training and in relation to job security;**

(c) **Expedite the establishment of sufficient number of affordable and adequately staffed childcare and elder care facilities throughout its territory;**

(d) **Ratify the Violence and Harassment Convention, 2019 (No. 190) of ILO.**

Health

32. The Committee notes with appreciation the State party's efforts to increase access of women and girls to affordable modern contraceptives. It notes that the Strategic Plan for Sexual and Reproductive Health (2014–2019) was extended for five years, that the State party is finalizing a new national non-communicable disease and cancer prevention and control plan and that it considers that incidences of cervical cancer and mortality are declining. The Committee notes with concern, however, that:

(a) Abortion remains criminalized in the State party;

(b) Despite the implementation of the Programme for the Reduction of Maternal and Child Mortality, the rate of maternal mortality is stagnating;

(c) The State party is reported to be among the countries with the highest rates of adolescent pregnancies in the English-speaking Caribbean;

(d) Low rates of cervical cancer screening, limited use of screening mammography for early breast cancer diagnosis, financial barriers and cultural stigma related to cancer prevent many women from accessing treatment.

33. In line with its general recommendation No. 24 (1999) on women and health and targets 3.1 and 3.7 of the Sustainable Development Goals, which are, respectively, by 2030, to reduce the global maternal mortality ratio to less than 70 per 100,000 live births and also by 2030, to ensure universal access to sexual and reproductive health-care services, including for family planning, information and education, and the integration of reproductive health into national strategies and programmes, the Committee recommends that the State party:

(a) Legalize abortion at least in cases of rape, incest, threats to the life or health of the pregnant woman and severe foetal impairment and decriminalize it in all other cases;

(b) Reduce maternal mortality by improving women's access to antenatal, perinatal and postnatal health services and training midwives and other relevant health professionals, especially in rural areas;

(c) Strengthen and improve access to and the quality of sexual and reproductive health services for women and girls, including by ensuring affordable and, if necessary, free access to modern contraceptives and providing age-appropriate sexual and reproductive health education in schools, with a focus on prevention of early pregnancy, HIV and the promotion of responsible sexual behaviour;

(d) Promote cervical cancer screening and the use of mammography screening for early breast cancer detection, including by raising awareness among the public on the importance and benefits of prevention, early diagnosis and treatment of such cancer, and ensure that treatment is accessible both physically and financially for all women, including rural women and women living in poverty.

Social and economic empowerment

34. The Committee notes with concern:

(a) The disproportionately high poverty rates among women as compared with men;

(b) Women's very limited access to loans and other forms of financial credit in the State party;

(c) The limited access to the national insurance system for self-employed and women entrepreneurs;

(d) The lack of support for sports of women and girls, despite women's international athletic successes, as compared with support for sports of men and boys.

35. The Committee recommends that the State party:

(a) Ensure that all national economic development policies include strategies to address the underlying causes of women's higher poverty rates in the State party, including an analysis of the underlying gender and structural factors contributing to this problem, are gender-responsive and use disaggregated data to integrate women's needs;

(b) Identify and remove barriers preventing women from accessing loans, including low-interest loans without collateral, and other forms of financial credit, for example, by establishing mechanisms to monitor the non-discriminatory implementation of loan policies by financial institutions;

(c) **Develop a gender-responsive social protection system that provides access to benefits for self-employed women and older women experiencing so-called old-age poverty;**

(d) **Provide support for sports of women and girls at all levels, with financial support for training, travel, visibility and media coverage, as well as special incentives for private sector support;**

(e) **Ratify the Workers with Family Responsibilities Convention, 1981 (No. 156) of ILO.**

Rural women

36. The Committee notes with appreciation the different initiatives the State party has developed to promote the rights of rural women, including public education, awareness-raising, school and community-based sensitization, financial literacy training and other empowerment initiatives to strengthen the leadership and decision-making power of rural women and girls. The Committee is concerned, however, at the State party's indication that poverty particularly affects rural women.

37. Recalling its general recommendation No. 34 (2016) on the rights of rural women and target 5.a under the Sustainable Development Goals, which is to undertake reforms to give women equal rights to economic resources, as well as access to ownership and control over land and other forms of property, financial services, inheritance and natural resources, in accordance with national laws, the Committee recommends that the State party further strengthen legal, financial, media and information literacy programmes and other measures to address poverty and unemployment among rural women, in particular women heads of household, and ensure their equal and meaningful participation in the development of poverty alleviation strategies.

Disadvantaged groups of women

38. The Committee notes with interest that a revised National Policy for Senior Citizens was adopted in 2021, aimed at aligning programmes and initiatives to respond to the opportunities and challenges presented by population ageing. It appreciates the State party's awareness of the need to increase employers' awareness of the option to employ refugees, including refugee women. However, the Committee notes with concern:

(a) The criminalization of same-sex conduct between consenting adults in the State party and its failure to prohibit discrimination against lesbian, bisexual, transgender and intersex women;

(b) The absence of gender-specific programmes for older women in the State party, despite the fact that the majority of older persons living in poverty are women;

(c) 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;

(d) Overcrowding in detention facilities where women are deprived of their liberty, with inadequate access to sexual and reproductive health services and sanitary products and inadequate protection from sexual harassment.

39. The Committee recommends that the State party:

(a) **Decriminalize same-sex relations between consenting adults and prohibit discrimination against lesbian, bisexual, transgender and intersex women in all spheres of life;**

(b) **In line with its general recommendation No. 27 (2010) on older women and the protection of their human rights, address the feminization of old-age poverty by strengthening social services and the availability of care centres catering for the needs of older women, especially those without a partner or family support, to prevent poverty and isolation;**

(c) **Adopt gender sensitive migration and asylum procedures and identify and address the specific needs of migrant, asylum-seeking and refugee women;**

(d) **Ensure that the conditions of women in detention are 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 are effectively investigated and that perpetrators are prosecuted and adequately punished.**

Climate change and disaster risk reduction

40. The Committee welcomes the State party's commitment to a gendered approach to climate change, including 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. However, it notes with concern that women are disproportionately affected by the impact of climate change with regard to natural disasters and the loss of livelihoods, particularly in agricultural production and the blue economy, food insecurity, water scarcity, lack of access to sexual and reproductive health services and the increased risk of gender-based violence and exploitation due to climate-induced migration from rural to urban areas.

41. **Recalling its general recommendation No. 37 (2018) on the gender-related dimensions of disaster risk reduction in the context of climate change, the Committee recommends that the State party:**

(a) **Address the needs of women, including women with disabilities, rural women, older women and Indigenous women, in the context of climate change and disaster risk reduction, focusing on access to sexual and reproductive health services and prevention of and protection from gender-based violence and loss of livelihoods;**

(b) **Provide effective gender budgeting for initiatives under the Gender and Climate Change Strategy and Action Plan, including those aimed at financing and encouraging a sustainable blue economy, to ensure that such initiatives are fully inclusive of women, promote women's empowerment and support the climate change agenda to help women and girls adapt effectively to climate change and disasters.**

Marriage and family relations

42. Recalling its previous recommendations ([CEDAW/C/JAM/CO/6-7](#), para. 38), the Committee notes with appreciation that the Maintenance Act makes provision for mothers, particularly single mothers, to apply for child maintenance. It also notes with appreciation efforts to improve divorce proceedings with respect to their length, including the development of standardized divorce proceeding documents and guidelines aimed at reducing the need for delays due to errors and the proposal of an amendment to the Judicature (Rules of Court) Act to enable a dedicated Master to deal with applications for a decree nisi. The Committee nevertheless notes with concern:

- (a) The absence of information on the time frame for the adoption of the amendment to the Judicature (Rules of Court) Act;
- (b) Existing exceptions to the minimum age for marriage under the Marriage Act, subject to parental consent;
- (c) Limited access to child maintenance benefits for many mothers in practice;
- (d) The non-recognition of same-sex unions in the State party.

43. The Committee recommends that the State party:

- (a) **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;**
- (b) **Amend the Marriage Act to delete any exceptions to the minimum age of marriage of 18 years for both women and men;**
- (c) **Take steps to eliminate any legislative and procedural barriers that prevent mothers from accessing child maintenance benefits;**
- (d) **Recognize same-sex unions under the law and provide for economic protection for women in such unions, including lesbian, bisexual, transgender and intersex women.**

Amendment to article 20 (1) of the Convention

- 44. The Committee encourages the State party to accept the amendment to article 20 (1) of the Convention concerning the meeting time of the Committee.**

Beijing Declaration and Platform for Action

- 45. The Committee calls upon the State party to use the Beijing Declaration and Platform for Action and to further evaluate the realization of the rights enshrined in the Convention in order to achieve substantive equality between women and men.**

2030 Agenda for Sustainable Development

- 46. The Committee calls for the realization of substantive gender equality, in accordance with the provisions of the Convention, throughout the process of implementation of the 2030 Agenda for Sustainable Development.**

Dissemination

- 47. The Committee requests the State party to ensure the timely dissemination of the present concluding observations, in the official language of the State party, to the relevant State institutions at all levels (national, regional and local), in particular to the Government, the ministries, the Parliament and the judiciary, to enable their full implementation.**

Ratification of other treaties

48. The Committee notes that the adherence of the State party to the nine major international human rights instruments¹ would enhance the enjoyment by women of their human rights and fundamental freedoms in all aspects of life. The Committee therefore encourages the State party to accede to 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, as well as the Second Optional Protocol to the International Covenant on Civil and Political Right, aiming at the abolition of the death penalty, to which it is not yet a party.

Follow-up to the concluding observations

49. The Committee requests the State party to provide, within two years, written information on the steps taken to implement the recommendations contained in paragraphs 23 (b) and (c), 31 (b) and 33 (a) above.

Preparation of the next report

50. The Committee will establish and communicate the due date of the ninth periodic report of the State party in line with a future predictable reporting calendar based on an eight-year review cycle and following the adoption of a list of issues prior to reporting, if applicable, for the State party. The report should be submitted on time and cover the entire period up to the time of its submission.

51. The Committee requests the State party to follow the harmonized guidelines on reporting under the international human rights treaties, including guidelines on a common core document and treaty-specific documents ([HRI/GEN/2/Rev.6](#), chap. I).

¹ The International Covenant on Economic, Social and Cultural Rights; the International Covenant on Civil and Political Rights; the International Convention on the Elimination of All Forms of Racial Discrimination; the Convention on the Elimination of All Forms of Discrimination against Women; the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; the Convention on the Rights of the Child; the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; the International Convention for the Protection of All Persons from Enforced Disappearance; and the Convention on the Rights of Persons with Disabilities.