

# Jamaica

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

In September 2000, the Government of Jamaica became a member of ILO-IPEC. With funding from USDOL, the Government of Jamaica, in cooperation with ILO-IPEC, recently began a two-year comprehensive national program on child labor 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 the fishing, tourism, and informal urban sectors.<sup>1298</sup> Under this project, USDOL is also funding a national child labor survey to be conducted by the Statistical Institute of Jamaica (STATIN) with technical assistance from ILO-IPEC's SIMPOC.<sup>1299</sup>

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.<sup>1300</sup> The Ministry of Education has instituted a cost-sharing program to help parents pay school fees at the secondary level.<sup>1301</sup>

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.<sup>1302</sup> That same year, the government began collaborating with UNICEF on the Child and Youth At Risk Program designed to address child labor issues and increase school attendance through poverty alleviation and a public-awareness campaign. However, it is reported that these efforts have been less effective due to poor economic conditions, few resources, and lack of information about the full extent of the country's child labor problem.<sup>1303</sup>

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.<sup>1304</sup>

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<sup>1298</sup> ILO-IPEC, *National Programme for the Prevention and Elimination of Child Labour in Jamaica and SIMPOC Survey*, project document (Geneva, June 2001) [hereinafter *National Programme*], 13.

<sup>1299</sup> *Ibid.* at Annex 1.

<sup>1300</sup> *Ibid.* at 11.

<sup>1301</sup> U.S. Embassy–Kingston, unclassified telegram, no. 2589, October 2001 [hereinafter unclassified telegram 2589].

<sup>1302</sup> *National Programme* at 13.

<sup>1303</sup> U.S. Embassy–Kingston, unclassified telegram no. 1622, June 2000.

<sup>1304</sup> *National Programme* at 13.

## Incidence and Nature of Child Labor

In 1994, a labor force survey conducted by STATIN, in collaboration with UNICEF, estimated that 5 percent of children between the ages of 6 and 16 were working in Jamaica.<sup>1305</sup> While child labor is not reported to be a significant problem in Jamaica's industrial sector,<sup>1306</sup> children are found working in the informal sector, and in fishing, agriculture and tourism.<sup>1307</sup>

In urban areas, children work as shop assistants, beggars, vendors of newspapers and cigarettes, cart pushers, windshield washers and domestic servants.<sup>1308</sup> In some villages, children catch, scale and gut fish<sup>1309</sup> while in agriculture, children help on family farms and with the cultivation and harvesting of *ganja* (marijuana).<sup>1310</sup> In tourist towns, children are reported to work in kitchens, hotels, recreational and cultural activities, in pornography, and as prostitutes, go-go dancers, and masseuses.<sup>1311</sup>

Under the Education Act of 1965, school is free and compulsory for children between the ages of 6 and 11.<sup>1312</sup> In 1999, the gross primary enrollment rate was rate was 96.6 percent.<sup>1313</sup> In spite of high enrollment rates, many Jamaican children (between 19 and 25 percent) fail to attend primary school regularly.<sup>1314</sup> Some families keep their children home because they cannot afford to pay school expenses.<sup>1315</sup> Although schooling is free at the primary level, one report indicated that some local schools and parent teacher organizations nonetheless collected fees.<sup>1316</sup> Other reports

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<sup>1305</sup> According to the survey, 22,000 children were working. *National Programme*, 7.

<sup>1306</sup> Unclassified telegram 2589.

<sup>1307</sup> *National Programme* at 7, 8.

<sup>1308</sup> *Ibid.* at 8.

<sup>1309</sup> Claudette Richardson-Pious, Executive Director, Children First, interview by USDOL official, July 2000 [on file].

<sup>1310</sup> *National Programme* at 7.

<sup>1311</sup> *Ibid.* See generally Sian Williams, "Sexual Violence and the Exploitation of Children in Latin America and the Caribbean: The Case of Jamaica," Caribbean Development Center, July 1999.

<sup>1312</sup> *Country Reports on Human Rights Practices for 2000—Jamaica* (Washington, D.C.: U.S. Department of State) [hereinafter *Country Reports 2000*], Section 6d, at <http://www.state.gov/g/drl/rls/hrrpt/2000/wha/index.cfm?docid=805>. See also unclassified telegram 2589.

<sup>1313</sup> *National Programme* at 10.

<sup>1314</sup> UNICEF, *Changing the Future for Jamaica's Children* (Kingston, August 1999) [hereinafter *Changing the Future*], 5, 6.

<sup>1315</sup> *Ibid.* See also UN, *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*, GB277/3/2 (Geneva, March 2000), 299.

<sup>1316</sup> Unclassified telegram 2589.

attribute low school attendance to the lack of relevance of the curriculum, the lack of space in schools (especially at the secondary level) and the low quality of instruction.<sup>1317</sup>

## Child Labor Laws and Enforcement

The Juveniles Act of 1951 prohibits the employment of children under the age of 12, except in family domestic, agricultural or horticultural work.<sup>1318</sup> Children under 15 may not be employed in industrial work. They are also prohibited from working on a ship, except where only family members are employed.<sup>1319</sup> Children under 16 are prohibited from night work and from begging. The Constitution does not specifically prohibit forced child labor<sup>1320</sup> but child prostitution is prohibited for girls under 18.<sup>1321</sup> There is no comprehensive law prohibiting trafficking in persons.<sup>1322</sup> Children can join the armed forces at age 17 with parental consent.<sup>1323</sup>

Jamaica's police are responsible for addressing child labor related complaints, while the Ministry of Health places children in a safe locations once they are withdrawn from work.<sup>1324</sup> Under the Juveniles Act, child labor violators can be subject to a fine or imprisonment. Criminal, immigration or customs penalties can be applied in situations of child trafficking.<sup>1325</sup> Enforcement of child labor laws in the informal sector is inadequate.<sup>1326</sup>

Jamaica has not ratified ILO Convention 138 or ILO Convention 182.<sup>1327</sup>

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<sup>1317</sup> *National Programme* at 9-11. See also *Changing the Future* at 6.

<sup>1318</sup> Juveniles Act of 1951 [hereinafter Juveniles Act], Part 8, Section 71 [hard copy on file].

<sup>1319</sup> *Ibid.* at Part 8, Section 72.

<sup>1320</sup> *Country Reports 2000* at Section 6d.

<sup>1321</sup> *Ibid.* at Section 5.

<sup>1322</sup> *Ibid.* at Section 6f.

<sup>1323</sup> Seth Vaughn, U.S. Embassy Jamaica, electronic correspondence to USDOL official, October 30, 2001.

<sup>1324</sup> Unclassified telegram 2589.

<sup>1325</sup> *Country Reports 2000* at Section 6f.

<sup>1326</sup> Unclassified telegram 2589.

<sup>1327</sup> ILO, International Labour Standards and Human Rights Department, at <http://webfusion.ilo.org/public/db/standards/normes/appl-ratif8conv.cfm?Lang=EN>.

*NOTE: Hard copies of all Web citations are on file.*