



Issues relating to Sexual and Reproductive Health Rights such as the right to safe and legal abortion, the rights of lesbians, gays, bisexuals and transgender and the importance of comprehensive sexuality education continue to be areas in which Jamaica needs improvement.

Firstly, the debate to legalize safe abortion in Jamaica is still being discussed by policy makers and various stakeholders. Although there have been many conversations, the legislative framework that prohibits women to access the service remains, which is, the ¹Offences against the Person Act (1861) sections 72 and 73, which criminalizes women who seek the service and medical practitioners who perform the procedure, as such, women resort to other remedies to terminate pregnancies. ²In the second cycle of the Universal Periodic Review France made recommendations to softening legislation towards decriminalization of abortion especially in cases of rape. To date, the recommendation has not been approved.

Secondly, Jamaica's Charter of Fundamental Rights and Freedoms still does not protect the lgbt community from discrimination as ³same-sex relations are still illegal in Jamaica and homosexual acts carry sentences of up to 10 years of imprisonment for those convicted under Article 76 of the Offences against the Person Act.

Thirdly, the ⁴Age of Majority Act of 1979 allows young people age 16 to be able to consent to sex however, conflicting language in the ⁵Child Care Protection Act of 2004 prohibits them from



accessing various health services such as access to contraception. This contradiction heightens their vulnerability to unplanned pregnancies. The rights to education and health are also embedded in international agreements, including the ⁶Programme of Action of the 1994 International Conference on Population and Development and the Convention on the Rights of the Child. These are international instruments that the country has aligned itself with therefore, the state has an obligation to uphold such commitments.

Finally, since March 2020, the COVID-19 pandemic has forced essential services to be sought remotely or within a short period of time due to curfews that were imposed across the island. These measures also significantly reduced access to Sexual and Reproductive Health Services which disproportionately impacted women and girls in rural communities. ⁷This contributed to the spike in rape cases that was seen across the country, in March, there were 368 new cases, while for the month of April there were 379 new cases.

¹ https://moj.gov.jm/sites/default/files/laws/Offences%20Against%20the%20Person%20Act_0.pdf

² <https://www.upr-info.org/database/>

³ <https://www.humanrightsfirst.org/sites/default/files/Jamaica-LGBT-Fact-Sheet.pdf>

⁴ <https://www.unfpa.org/comprehensive-sexuality-education#>

⁵ https://moj.gov.jm/sites/default/files/laws/Child%20Care%20and%20Protection%20Act_0.pdf

⁶ <https://moj.gov.jm/laws/law-reform-age-majority-act>

⁷ Dunkley-Willis, A. (2020). Jamaica Observer. http://www.jamaicaobserver.com/front-page/sexual-savagery-high-number-of-children-fall-victim-to-sex-crimes-since-covid-19-restrictions-started-in-march_194491?profile=1606