**ADVANCE QUESTIONS TO JAMAICA (FIRST BATCH)**

**GERMANY**

* Which steps is the Government of Jamaica taking to ensure appropriate accommodation for people with mental disabilities outside detention centres? Which measures is the Government of Jamaica taking to regularly review the capacity to act in court of people with mental disabilities who are accused of having violated the law and to prevent them from being held in prison without trial?
* What are the reasons Jamaica is one of only 21 states that have not ratified the International Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)? Is there any support state parties of the CAT could offer toward ratification of CAT and its Optional Protocol?
* Given Jamaica has not executed anyone for over 20 years, are there plans to declare a moratorium on the death penalty and ratifying the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty?
* Are there reasons the Government of Jamaica has not issued an open standing invitations for visits of international and regional special procedure mandate holders?
* On which grounds does the Government of Jamaica intend to appeal the recent Supreme Court ruling which has qualified the prolonged detention of five individuals during the State of Emergency as unconstitutional, recognizing their right to seek compensation?

**LIECHTENSTEIN**

* Liechtenstein recognizes that Jamaica has signed, but not ratifed the Rome Statute in its 2010 version.
* What steps has Jamaica taken to ratify the Rome Statute in its 2010 version?
* What steps has Jamaica taken to ratify the Kampala Amendments to the Rome Statute on the crime of aggression?
* What steps has Jamaica taken towards the abolition of the death penalty?

**SLOVENIA**

* At the UN World Summit in 2005, all Heads of State and Government anonimously agreed to protect populations from genocide, war crimes, crimes against humanity and ethnic cleansing. The Universal Periodic Review (UPR) of the Human Rights Council can play an important role in assessing each country’s institutional preparedness to protect human rights and prevent mass atrocities which is the primary responsibility of each state to protect populations. The international community has the responsibility to encourage and assist countries in doing so. No state is immune. Ratification of the Rome Statute is among the measures to take. To operationalize the R2P principle many states have appointed a senior government official (R2P Focal Point) responsible for the promotion of mass atrocity prevention  and cooperation in this regard at the national, regional and international level.

When  is your state  going to ratify the Rome Statute?

Is Jamaica considering to appoint a Focal Point for the Responsibility to Protect (R2P Focal Point)?

**CANADA**

* Could Jamaica elaborate on the steps it has taken to further strengthen the Independent Commission of Investigations (INDECOM) since its last Universal Periodic Review?
* In 2014, the Government of Jamaica stated its intention to establish a National Human Rights Institution based on the Paris Principles. Could Jamaica inform us on the status of the establishment of this Institution?
* Could Jamaica elaborate on the steps it has taken to protect human rights under the States of Emergency and Zones of Special Operations that were introduced to reduce violence and crime?
* Jamaica committed to reducing the prevalence of gender-based violence through a 10-year National Strategic Action Plan launched in 2018. Could you please provide information on how the implementation of the Plan is going?

**UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND**

* When will the Government of Jamaica enact comprehensive anti-discrimination legislation which will prohibit discrimination and violence against LGBT persons, persons with disabilities and other vulnerable individuals that are not currently protected under Jamaica’s Charter of Fundamental Rights and Freedoms?
* What steps is Jamaica taking to becoming a State Party to the ICC by ratifying the Rome Statute?
* What steps is Jamaica taking to abolish the death penalty?
* In response to reports by the Independent Commission on Investigations (INDECOM) that individuals with mental health issues are being held in custody for long periods without due process, what steps are being taken to reform Jamaica’s penal system?
* What steps and measures will the government take to reduce the increased risk of violence against children in the home as a result of the COVID-19 pandemic, and what will the government do to strengthen Jamaica’s child protection systems in line with the Convention on the Rights of the Child?

**PORTUGAL on behalf of the Group of Friends on NMIRF’s**

* Could the State-under-review describe its national mechanism or process responsible for coordinating the implementation of accepted UPR recommendations and the monitoring of progress and impact?
* Has the State-under-review established a dedicated ‘national mechanism for implementation, reporting and follow-up’ (NMIRF) covering UPR recommendations, but also recommendations/observations generated by the UN human rights Treaty Bodies, the Special Procedures and relevant regional mechanisms, which, *inter alia*, clusters all the above, manages them in national databases, coordinates implementation actions across government, monitors progress and impact, and then streamline reporting procedures back to the UN? If so, could the State-under-review briefly share its experience on creating such mechanism, including challenges faced and lessons learnt, as well as any plans or needs to strengthen the NMIRF in the future?

**URUGUAY**

* Following the recommendation presented by Uruguay during the second cycle of the UPR, we congratulate Jamaica for the approval in 2017 of a National Action Plan to eliminate gender-based violence (2017-2020).

In that context, Uruguay would appreciate to receive additional information on the current status of the implementation of the said National Action Plan, including updates on shelters to victims -that as stated in Jamaica’s national report- were in the process of being established.

**UNITED STATES OF AMERICA**

* In 2019, the Jamaica Labor Party (JLP) administration launched six states of emergency (SOEs) in Jamaica to stem its spiraling homicide rate, which currently stands at 47 per 100,000. What steps is the Government of Jamaica taking to investigate violent acts and reduce the homicide rate? What mechanisms have been put in place to prevent violence from occurring?
* Despite commendable efforts to raise public awareness and update laws on gender-based violence in Jamaica, the island continues to have one of the highest instances of femicide worldwide. Currently there are no clear criminal penalties for domestic violence, nor legislation to address sexual harassment, and men cannot be charged for rape of their spouses. How does the government of Jamaica plan on filling these important legal gaps in order to continue striving toward domestic and other gender-based violence prevention across the island?
* The United States continues to have grave concerns about Jamaica’s Defenses Against the Person Act, or ‘Buggery Law,’ which criminalizes consensual sexual relations between men and contributes to violence and stigma against the LGBTI community. What is the Government of Jamaica doing to protect the human rights and fundamental freedoms of LGBTI and gender non-conforming persons? Will Jamaica take steps to decriminalize LGBTI status and conduct?
* What is the Jamaican government doing to improve inclusion of persons with disabilities in the country’s social, economic and educational systems? How can Jamaica improve access to physical infrastructure, communications, and transportation without accessibility standards?
* While the United States acknowledges the measures taken by the Jamaican government over the past year to address reports of human rights abuses in prisons holding individuals in pretrial detention and to improve the very worst of the detention facilities, inhuman conditions still persist. Reports of mentally ill individuals being detained without charge and within the general population, a lack of access to showers, toilets, and personal hygiene items, and physical abuse by guards towards inmates continue. What plans exist to continue to improve conditions in prison facilities throughout the island and ensure that the human rights of those detained are respected?
* According to the International Labor Organization age standards, the government estimated that more than 53,000 children ages five to 17 years old were engaged in child labor. What steps is the Jamaican government taking to mitigate the issue, and how will government agencies intend to inspect the informal sector?