

In 2017, Jamaica made moderate advancement in efforts to eliminate the worst forms of child labor. The government passed the National Identification System law that requires all citizens to receive a national identification card, allowing children without birth certificates to have identification documents. The Anti-Trafficking in Persons Unit collaborated with the Jamaica Fire Brigade to close establishments suspected of facilitating commercial sexual exploitation of children by finding and enforcing fire code violations. Additionally, the government expanded the Program for Advancement through Health and Education to serve 297,135 participants, increased free weekly school meals from 3 to 5, and offered transportation assistance to students. However, children engage in the worst forms of child labor, including commercial sexual exploitation, and illicit activities. Although the government has laws prohibiting the use of children in some illicit activities, it does not provide higher penalties for using, procuring, or offering children for the production and distribution of drugs compared to those for using adults. In addition, programs to combat child labor are insufficient to address the country's child labor problem.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Jamaica engage in the worst forms of child labor, including commercial sexual exploitation and illicit activities. (1; 2) Table 1 provides key indicators on children's work and education in Jamaica.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	6.2 (30,111)
Attending School (%)	5 to 14	98.9
Combining Work and School (%)	7 to 14	7.2
Primary Completion Rate (%)		Unavailable

Primary completion rate was unavailable from UNESCO Institute for Statistics, 2018. Understanding Children's Work Project's analysis of statistics from Jamaica Youth Activity Survey, 2016. (3)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

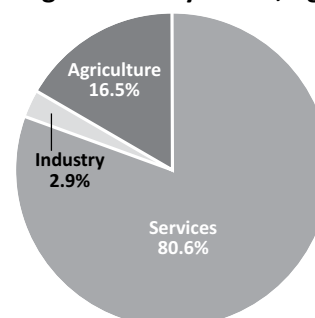
Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Farming, activities unknown (4; 1)
	Fishing, activities unknown (5; 1)
Services	Garbage scavenging, collecting scrap metal (6; 1)
	Working in gardens, shops, and markets (5; 7; 1; 8)
	Domestic work (6; 9; 1; 2; 10; 11; 8)
	Street work, including peddling goods and services, begging, [†] and vending (1; 11; 12)
Categorical Worst Forms of Child Labor [‡]	Commercial sexual exploitation, sometimes as a result of human trafficking (5; 4; 1; 2; 11; 13)
	Forced labor in domestic work (2)
	Use in Illicit activities, including executing financial scams and serving as drugs and guns couriers (6; 14; 1; 15; 11; 8; 13; 16)

[†] Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

[‡] Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

Figure 1. Working Children by Sector, Ages 5-14



Jamaica is a destination and source country for commercial sexual exploitation of children. Jamaican children are trafficked for commercial sexual exploitation and forced labor to countries including the United States, the United Kingdom, and Canada. (2)

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Sources indicate that children, sometimes at the behest of parents or criminal leaders referred to as “dons,” are forced into commercial sexual exploitation. (1) Children also continue to be recruited by criminal organizations to engage in illicit activities, such as gang violence, guns and drug smuggling, and financial fraud, including lottery scamming. (1; 13; 16) Child domestic workers may be subjected to domestic servitude, and some children are subjected to forced begging. Many children are reported missing in Jamaica; some of these children may be subjected to forced labor. (17)

Although the law mandates free public education and school attendance rates are high, the cost for transportation, food, books, and clothing creates barriers to education for some children. (1)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Jamaica has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in Jamaica’s legal framework to adequately protect children from the worst forms of child labor, including the prohibition of using children for the production and distribution of drugs.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	15	Article 34(1) of the Child Care and Protection Act (18)
Minimum Age for Hazardous Work	Yes	18	Article 34(3) of the Child Care and Protection Act (18)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 34(3)(b) and 41 of the Child Care and Protection Act of 2004; Section 55 of the Factories Act: Docks (Safety, Health and Welfare) Regulations; Section 18 of the Mining Act; Section 49 of the Factories Act: Building Operations and Works of Engineering Construction Regulations (18; 19; 20; 21)
Prohibition of Forced Labor	Yes		Section 4 of the Trafficking in Persons (Prevention, Suppression and Punishment) Act; Section 10 of the Child Care and Protection Act (18; 22)
Prohibition of Child Trafficking	Yes		Section 4 of the Trafficking in Persons (Prevention, Suppression and Punishment) Act; Section 10 of the Child Care and Protection Act (18; 22)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Section 4 of the Trafficking in Persons (Prevention, Suppression and Punishment) Act; Section 3 of the Child Pornography (Prevention) Act; Section 40 of the Sexual Offences Act (22; 23; 24)
Prohibition of Using Children in Illicit Activities	No		Section 4 of the Criminal Justice (Suppression of Criminal Organizations) Act (25)
Prohibition of Military Recruitment			
State Compulsory	N/A*		
State Voluntary	Yes	18	Section 18(2) of the Defense Act (26)

Table 4. Laws and Regulations on Child Labor (cont)

Standard	Meets International Standards: Yes/No	Age	Legislation
Non-state	No		
Compulsory Education Age	Yes	16	Section 28 of the Child Care and Protection Act (18)
Free Public Education	Yes		Section 13(k) of the Jamaican Charter of Fundamental Rights and Freedoms (27)

* No conscription (21)

In 2017, the government passed the National Identification System legislation that requires all citizens and others ordinarily resident in Jamaica to receive a national identification card. The government stated that the law would mitigate the lack of birth certificates among some children and assist in expediting access social services. (1) In 2017, the government introduced the Occupational Safety and Health bill for debate, but it has yet to be passed. Regulations associated with the bill, after it is passed, will specify light work activities permitted for children ages 13 and 14. (1; 28) The (Suppression of Criminal Organizations) Act 2014, also known as the Anti-Gang Act, prohibited the recruitment of children into criminal organizations, including armed groups, but the law does not specifically prohibit the recruitment of children by groups engaged in armed conflict. (12; 25) Yet still, Jamaican laws do not specifically include higher penalties for perpetrators who use, procure, or offer a child for the production and distribution of drugs. (18; 29)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the operations of the Ministry of Labor and Social Security (MLSS) that may hinder adequate enforcement of child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor and Social Security (MLSS)	Enforce and administer child labor laws in the formal sectors of the economy. The Child Labor Unit coordinates and shares information with other agencies to address child labor issues. (30)
Child Protection and Family Services Agency (CPFSA)	Monitor and investigate suspected child labor violations and oversee efforts to address child labor. Housed under the Ministry of Education, Youth, and Information, resulted from the merger of the Child Development Agency and the Office of the Children's Registry. (30; 1; 28) Receive complaints on a hotline for child abuse, including child labor, child trafficking, and commercial sexual exploitation of children. Refer suspected cases of child abuse to law enforcement. (30; 1)
Office of the Children's Advocate	Independently investigate reports of child abuse; partner with other agencies, including the CPFSA and police, to promote protection of children and address child labor. (30)
Jamaica Constabulary Force (JCF)	Enforce criminal laws, including those related to the worst forms of child labor. Investigate, through the Anti-Trafficking in Persons Unit, cases of child trafficking and commercial sexual exploitation. (30) Investigate, through the Center for the Investigation of Sexual Offenses and Child Abuse, cases of child and sexual offenses and educate the public about sexual offenses against children. (31; 1)
Office of the Director of Public Prosecutions	Prosecute cases involving the worst forms of child labor. Protect and promote human rights for all citizens. (32)

Labor Law Enforcement

In 2017, labor law enforcement agencies in Jamaica took actions to combat child labor (Table 6). However, gaps exist within the authority of the MLSS that may hinder adequate labor law enforcement, including penalty assessment authorization.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2016	2017
Labor Inspectorate Funding	\$373,500 (6)	\$389,804 (1; 28)
Number of Labor Inspectors	15 (6)	13 (1)
Inspectorate Authorized to Assess Penalties	No (6)	No (1)
Training for Labor Inspectors		

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Table 6. Labor Law Enforcement Efforts Related to Child Labor (cont)

Overview of Labor Law Enforcement	2016	2017
Initial Training for New Employees	Yes (6)	N/A (1)
Training on New Laws Related to Child Labor	N/A (6)	N/A (1)
Refresher Courses Provided	Yes (6)	Yes (1; 28)
Number of Labor Inspections Conducted	2,504 (6)	2,068 (28)
Number Conducted at Worksites	2,504 (6)	2,068 (28)
Number of Child Labor Violations Found	0 (6)	0 (1)
Number of Child Labor Violations for Which Penalties were Imposed	0 (6)	N/A (1)
Number of Child Labor Penalties Imposed that were Collected	0 (6)	N/A (1)
Routine Inspections Conducted	Yes (6)	Yes (1)
Routine Inspections Targeted	Unknown (6)	Yes (1; 28)
Unannounced Inspections Permitted	Yes (6)	Yes (1; 28)
Unannounced Inspections Conducted	Yes (6)	Yes (1; 28)
Complaint Mechanism Exists	Yes (6)	Yes (1; 28)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (6)	Yes (1; 28)

In 2017, the MLSS and the Child Protection and Family Services Agency (CPFSA) signed a memorandum of understanding under which the MLSS would refer child labor victims to the CPFSA for social services, including Program for Advancement Through Health and Education (PATH) benefits. (28) During the year, the MLSS also reported a lack of resources, primarily office space, transportation, and fuel for vehicles. (1) The number of labor inspectors is likely insufficient for the size of Jamaica's workforce, which includes over 1.3 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 15,000 workers in developing economies, Jamaica would employ about 88 labor inspectors. (33) Child labor is mostly pervasive in the informal sector, but labor inspectors must conform to their legal mandate, resulting in inspections mostly occurring in the formal sector, such as factories, building sites, docks, and ships. (6; 1) The CPFSA, through the National Children's Registry, receives reports through a toll-free line, 1-888-PROTECT (776-8328), of offenses against children, including child labor, child abuse, and human trafficking. (6; 1) The latest data available from the National Children's Registry indicated six reports of child sex trafficking from January to November 2017. (17)

Criminal Law Enforcement

In 2017, criminal law enforcement agencies in Jamaica took actions to combat child labor (Table 7). However, gaps exist within the operations of the Jamaica Constabulary Force that may hinder adequate criminal law enforcement, including allocating human resources.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2016	2017
Training for Investigators		
Initial Training for New Employees	Yes (6)	Yes (1)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (6)	N/A (1)
Refresher Courses Provided	Yes (6)	Yes (1)
Number of Investigations	36 (6)	25 (1)
Number of Violations Found	1 (6)	3 (1)
Number of Prosecutions Initiated	0 (6)	3 (1)
Number of Convictions	3 (6)	0 (1)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (6)	Yes (1)

During the year, the Anti-Trafficking in Persons Unit rescued three child victims of commercial sexual exploitation and five child victims of forced begging. (1; 34; 28) In addition, the Anti-Trafficking in Persons Unit collaborated with the Jamaica Fire Brigade to close establishments suspected of facilitating commercial sexual exploitation of children by finding and enforcing fire code violations. (1; 35) The National Task Force against Trafficking in Persons created a docudrama to distribute in schools to educate

students about child trafficking in Jamaica. (17) The government also provided training to JCF officers on child labor laws, tools to combat child labor, and methods to carry out investigations and prosecutions. The JCF also provided human trafficking training to police officers from neighboring Caribbean countries at the Caribbean Regional Drug Law Enforcement Training Center in Spanish Town, Jamaica. (1; 35) A source indicates that some prosecutors need additional training to properly prosecute violations of the worst forms of child labor and argue against bail to ensure perpetrators return for trial. (34; 17)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role and Description
MLSS Program for the Elimination of Child Labor	Coordinate the government's child labor policies and programs and identify gaps in legislation across ministries. Collaborate with other ministries, such as the Ministry of Education, Youth, and Information (CPFSA), the Ministry of Justice (National Task Force Against Trafficking in Persons (NATFATIP), and the Ministry of National Security to address gaps in legislation. (36)
NATFATIP	Facilitate information exchanges between government agencies and external stakeholders and create momentum for counter-trafficking efforts. Led by the Ministry of Justice, includes ministries and agencies across the government and oversees implementation of the country's National Action Plan to Combat Human Trafficking. (6) Meets regularly with the JCF, Director of Public Prosecutions, and relevant ministries. (6; 30) In 2017, met weekly on strategies to combat human trafficking; invited the U.S. Government's participation in two high-level meetings with the Permanent Secretaries for Justice; Foreign Affairs; Labor and Social Security; Health; and Education. (16)

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 9). However, policy gaps exist that hinder efforts to address child labor, including mainstreaming child labor issues into relevant policies.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Action Plan to Combat Human Trafficking (2015–2018)	Identify objectives, actions, and responsible agencies to combat trafficking in persons, including commercial sexual exploitation of children and forced child labor, through prevention, protection, and prosecution. In 2017, coordinated interagency efforts on trafficking in persons. (16)

In 2017, the government reported developing a draft education policy to increase access to education for children and youth with special needs. (28) Although the government has yet to update and approve the expired National Plan of Action on Child Labor, sources indicate that it is still in use in relevant ministries. However, child labor prevention and elimination strategies are still not integrated into the Compulsory Education Policy. (6; 37)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2017, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including adequacy of programs to address the full scope of the problem.

Table 10. Key Social Programs to Address Child Labor†

Program	Description
Program for Advancement through Health and Education (PATH)†	\$35 million, Government of Jamaica and World Bank-funded, conditional cash transfer program that helps reduce child labor by requiring participants to attend school at least 85 percent of the academic days in a month. (38; 39; 40) In 2017, project participants increased from 250,000 to 297,135. Achieved primary-level education compliance for 77.8 percent for boys and 81.8 percent for girls; achieved secondary-level compliance for 5 percent for boys and 82.3 percent for girls. (6) The Government continued its transportation allowance to subsidize transportation for 1,824 PATH children. (1)
Child Labor Measurement and Policy Development	USDOL-funded research project implemented by the ILO to increase the knowledge base on child labor by collecting new data, analyzing existing data, and building capacity to conduct research in this area. Additional information is available on the USDOL website.

† Program is funded by the Government of Jamaica.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (41; 42; 43)

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In 2017, the government reported launching a pilot school bus system to provide transportation for school children. (28) Current social programs do not fully address the extent of the child labor problem. Sources also indicate a need for data collection to inform policies and social programs on child labor, especially in the agriculture sector. (44; 11)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor in Jamaica (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that legislation includes higher penalties for the use of children for the production and distribution of drugs.	2009 – 2017
	Determine the specific light work activities and hours permissible for children ages 13 and 14 to facilitate enforcement.	2014 – 2017
	Ensure that the law criminally prohibits the recruitment of children under 18 by non-state armed groups.	2016 – 2017
Enforcement	Authorize the Labor Inspectorate to assess penalties.	2014 – 2017
	Ensure the Labor Inspectorate has adequate resources, such as office space and vehicles, to conduct inspections.	2017
	Employ enough labor inspectors to provide sufficient coverage of the workforce.	2014 – 2017
	Ensure that labor inspections are conducted not only in the formal sector, such as factories, building sites, docks, and ships, but also in the informal sector in urban and rural communities.	2014 – 2017
	Provide sufficient training and resources for front-line police officers and prosecutors to address the worst forms of child labor, such as child trafficking.	2017
Government Policies	Reinstate and approve the National Action Plan on Child Labor.	2016 – 2017
	Integrate child labor elimination and prevention strategies into the Compulsory Education Policy.	2014 – 2017
Social Programs	Ensure that school costs, such as uniforms, books, and transportation, do not diminish access to free public education.	2017
	Expand programs to assist child laborers who are involved in street work, commercial sexual exploitation, and the worst forms of child labor.	2013 – 2017

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