

JAMAICA (Tier 2)

Jamaica is a source, transit, and destination country for adults and children subjected to sex trafficking and forced labor. The exploitation of local children in the sex trade within Jamaica, a form of sex trafficking, remains a serious problem. Sex trafficking of children and adults likely occurs on the street, in night clubs, bars, and in private homes throughout Jamaica, including in resort towns. In addition, massage parlors in Jamaica reportedly often lure women into prostitution under the false pretense of employment as massage therapists and then withhold their wages and restrict their movement—key indicators of human trafficking. People living in Jamaica’s poverty-stricken garrison communities, territories ruled by criminal “*dons*” effectively outside of the government’s control, are especially at risk. NGOs also expressed concern that children from poor families sent to better-off families or local “*dons*” with the intent of a chance at a better life are highly vulnerable to prostitution and forced labor, including domestic servitude. Other at-risk children are those working in the informal sector, such as on farms, or in street vending, markets, and shops, as well as those engaging in begging. NGOs and the government remain alarmed at the high number of missing children and are concerned that some of these children are falling prey to forced labor or sex trafficking. There is evidence that foreign nationals are subjected to forced labor in Jamaica and aboard foreign-flagged fishing vessels operating in Jamaican waters. Numerous sources report that many Jamaican citizens have been subjected to sex trafficking or forced labor abroad, including throughout the Caribbean, Canada, the United States, and the United Kingdom. Child sex tourism reportedly occurs in Jamaica.

The Government of Jamaica does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. For another year, the government did not convict trafficking offenders or officials complicit in human trafficking, but the government made efforts to raise awareness about human trafficking and demonstrated a proactive, victim-centered approach in identifying and assisting suspected forced labor victims aboard a fishing boat, which was an important accomplishment for the region as forced labor on fishing boats often occurs undetected. Few Jamaican trafficking victims were identified or received government assistance during the reporting period.

Recommendations for Jamaica: Vigorously prosecute, convict, and punish trafficking offenders, including officials complicit in forced labor or sex trafficking; ensure that prescribed penalties for human trafficking are commensurate with penalties for other serious crimes, such as forcible sexual assault; ensure officials are trained on the fundamental principles of international human trafficking law, including that movement of a victim is not necessary for trafficking to occur; implement standard operating procedures to guide police, labor inspectors, child welfare officials, and health workers in the proactive identification of local, as well as foreign, victims of forced labor and sex trafficking—including children under age 18 in prostitution in night clubs, bars, and massage parlors—and in their referral to adequate service providers; and use the government shelter in cooperation with NGOs to provide a safe and welcoming place for Jamaican children under 18 in prostitution and other trafficking victims that need protection.

Prosecution

The government initiated two new prosecutions, but serious concerns about impunity for perpetrators of human trafficking in Jamaica remained. The government prohibits all forms of trafficking through its comprehensive Trafficking Act of Jamaica, which went into effect in 2007. Punishments prescribed for human trafficking under the Act extend up to 10 years' imprisonment, which are sufficiently stringent but do not appear to be commensurate with penalties prescribed for other serious crimes, such as rape. The government reported initiating 205 sex trafficking investigations and at least one labor trafficking investigation during the reporting period. Authorities also reported four arrests on human trafficking charges. There were two new human trafficking prosecutions in 2012. The government remained active on only two out of 10 prosecutions of human trafficking offenses carried over from previous reporting periods. For another year, the government reported no convictions of trafficking offenders. While no government officials were investigated, prosecuted, or convicted for alleged complicity in trafficking-related offenses during the reporting period, allegations persisted from previous reporting periods that some Jamaican police officers were complicit in prostitution rings, some of whom were suspected of recruiting children under 18 and coercing adults into the sex trade, both of which are forms of sex trafficking.

The Jamaican Constabulary Force reported that it conducted 44 human trafficking awareness training sessions for over 749 police officers and over 1,000 school officials, students and members of the public. The government also provided in-kind support to IOM-led capacity building and technical skills training workshops for government officials.

Protection

The government made efforts in the protection of trafficking victims during the reporting period. Authorities identified 23 suspected victims of trafficking, including 21 Honduran children they rescued from forced labor on a fishing boat. Jamaican authorities involved in the fishing boat case demonstrated a strong commitment to the proactive identification of trafficking victims and implementation of victim protection principles. The government confirmed identifying only two Jamaican victims of trafficking during the reporting period; both were victims of sex trafficking. As part of a joint project with ILO, Jamaican authorities removed at least 130 children from child labor situations, some of whom were likely victims of trafficking, though the government did not confirm if any of the children were in forced labor. The small number of Jamaican trafficking victims identified, especially given the large number of investigations, raised concerns that some front-line responders, such as police, child protection officials, labor officials, and health workers, did not adhere to standard operating procedures for proactive identification of human trafficking and referral of suspected cases for assistance.

The government's shelter for trafficking victims remained vacant during the reporting period. Authorities referred the children from the fishing boat case to a church shelter and the two Jamaican victims to the Child Development Agency and the Victims Support Unit. The

government reported spending the equivalent of more than approximately \$131,000 on anti-trafficking measures and victim assistance and provided counseling, medical care, food, repatriation assistance, and translation services to the victims identified over the past year.

In coordination with Jamaica's anti-trafficking law, the government provided formal guidance for immigration officials, advising them not to deport foreign victims, and it provided temporary immigration relief to the 21 foreign child victims identified during the reporting period. The government worked with IOM to provide safe repatriation for the foreign victims identified and funded a charter flight for their return home. Jamaican officials encouraged trafficking victims to participate in investigations and prosecutions of trafficking offenders, and the Trafficking Act of Jamaica guaranteed that trafficking victims were immune from prosecution for immigration or prostitution violations committed as a direct result of their being trafficked. There were no allegations of victims being punished for crimes committed as a direct result of being subjected to human trafficking during the reporting period.

Prevention

The government made efforts to prevent human trafficking during the reporting period. Officials organized a series of events to raise awareness about human trafficking, including appearances on television, a public forum in coordination with the Nurses Association of Jamaica, and a nationwide broadcast on one of Jamaica's most popular radio shows. Speakers at each of these events included representatives from Jamaica's anti-trafficking taskforce, the Ministry of National Security, the Ministry of Justice, and the Jamaica Constabulary Force. The campaign targeted potential victims and aimed to educate them on ways to identify and avoid potential traffickers. The Prime Minister expressed public commitment to address "modern-day slavery" in a speech to the UN General Assembly. Jamaica's anti-trafficking taskforce developed a national plan of action during the previous reporting period. A government-operated general crime victim hotline offered specialized assistance to persons reporting human trafficking. The government did not report any child sex tourism investigations or efforts to reduce the demand for commercial sex acts, child sex tourism, or forced labor.