



**PERMANENT MISSION OF JAMAICA
TO THE UNITED NATIONS**

STATEMENT BY

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COUNSELLOR**

**AGENDA ITEM 70(A):
IMPLEMENTATION OF HUMAN RIGHTS INSTRUMENTS**

**THIRD COMMITTEE
SEVENTY-FOURTH SESSION OF THE
UNITED NATIONS GENERAL ASSEMBLY**

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Mr. Chair,

Jamaica aligns itself to the Statement delivered by the distinguished representative of The Bahamas on behalf of the Caribbean Community (CARICOM).

Jamaica is committed to ensuring that all persons within its borders are empowered to realize their full potential through the protection of their fundamental human rights and freedoms. This is not only a feature of the rule of law, but it is recognized that these rights are at the core of the inherent dignity of persons and are an indispensable pillar of a free and democratic society. Consequently, our legal and policy framework has been developed to create an enabling environment to support Jamaica's compliance with international human rights instruments and other obligations.

Jamaica's Charter of Fundamental Rights and Freedoms places a positive duty on the state to promote universal respect for, and observance of, human rights and freedoms. The Charter of Rights also ascribes a corresponding duty to each person by indicating that he or she has a responsibility to respect and uphold the rights of others recognized in the Charter. This is reflective of the public/private partnership that is required for the full protection of human rights.

Further, the existence of rights requires supporting enforcement mechanisms to ensure that they can be fully realized. In that vein, the Charter provides a mechanism whereby an individual who alleges that his

or her right has been, is being or is likely to be contravened, may apply to the Supreme Court for redress.

Mr. Chair,

To support the foundational legal order established by our Constitution, our national development plan Vision 2030 prioritizes the respect for and observance of human rights. Goal 2 of the plan which is focused on the creation of a “*Jamaican society [that] is secure, cohesive and just*” outlines a strategy to ensure tolerance and respect for human rights and freedoms. This approach fully aligns with Goals 5, 10 and 16 of the 2030 Agenda for Sustainable Development.

Mr. Chair,

Jamaica remains committed to the rule of law and the protection of fundamental human rights and freedoms. We have ratified 7 of the 9 core human rights treaties including: *The Convention on the Elimination of All forms of Discrimination Against Women, The Convention on the Rights of the Child and The Convention on the Rights of Persons with Disabilities.*

Reporting remains a crucial aspect in the review and assessment of compliance with human rights treaties. To strengthen the efficacy of the reporting process, Jamaica has established an Inter-Ministerial Human Rights Committee to better coordinate information sharing across different Ministries, Departments and Agencies. Jamaica continues to review this process with a view to ensure that it is fit-for-purpose.

Mr. Chair,

Enabling legislation is required to allow international human rights treaties to have the force of law in the domestic jurisdiction. Therefore, a relevant and current legislative framework is key to the implementation of human rights treaties.

In this regard, Jamaica has been working to ensure that the rights of the most vulnerable in our society are fully protected under the auspices of the requisite human rights instruments. Some recent initiatives in this regard include:

- the tabling of the *Sexual Harassment Bill* in July of this year. The bill is intended to protect both men and women, boys and girls from sexual harassment;
- the passing in 2018 of the *Child Diversion Act* , which is aimed at redirecting children who come in conflict with the law from the formal justice system. Additionally, in 2018, *The Child Care and Protection Act* was amended to increase the imprisonment time from 10 to 20 years for persons who engage in selling or trafficking children; and
- the operationalization of the *Disabilities Act*.

Mr. Chair,

Jamaica considers the implementation of human rights instruments to be a holistic process, which includes promoting awareness through knowledge sharing about the full scope of the rights and in what circumstances they

can be limited. To this end, Jamaica will continue to strengthen the process of citizen participation in governance, engage in more public education campaigns, foster equity in all sectors of society and strengthen accountability and transparency mechanisms.

Mr. Chair,

Jamaica notes with concern the state of affairs of the application of International Human Rights and International Humanitarian law. We call upon states to hold true to the principles espoused in the norm creating document, The Universal Declaration of Human Rights. Jamaica stands firmly behind the principles that human rights are universal and indivisible and should be afforded to all persons.

Jamaica sees dialogue and partnership as viable solutions to the human rights situation across the world. Dialogue should be transparent, inclusive and based in good faith. It should be conducted within the state with relevant stakeholders and between states to foster partnership and to build confidence. By so doing, we will be better placed to ensure that people are at the center of human rights solutions and that no one is left behind.

Thank you, Mr. Chair.