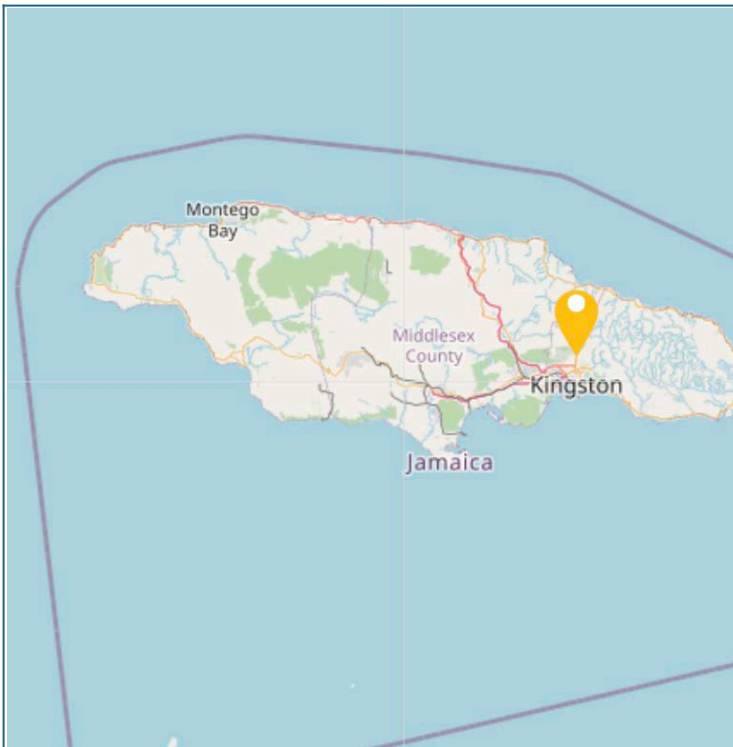


Jamaica Immigration Detention Data Profile



Quick Facts	
Immigration detainees (2019)	Not Available
Detained minors (2017)	Not Available
International migrants (2019)	23,468
New asylum applications (2019)	5

NOTES ON USING THIS PROFILE

- Sources for the data provided in this report are available online at: <https://www.globaldetentionproject.org/countries/americas/jamaica>
- "Observation Dates" indicate the timeframe statistical data correspond to or other data were last validated. More than one statistical entry for a year indicates contrasting reports.

STATISTICS

Detention, expulsion, and incarceration statistics

		Observation Date			Observation Date
Total number of immigration detainees by year	Not Available	2019	Total number of detained minors	Not Available	2017
Criminal prison population	3,866	2016	Percentage of foreign prisoners	1.1	2016
	4,201	2013		1.5	2013
Prison population rate (per 100,000 of national population)	138	2016			
	152	2013			

Demographics and immigration-related statistics

		Observation Date			Observation Date
Population	3,000,000	2020	International migrants	23,468	2019
	2,793,000	2015		23,200	2015
International migrants as a percentage of the population	0.8	2015	Refugees	15	2018
				8	2016
				12	2015
				22	2014
Ratio of refugees per 1000 inhabitants	0.01	2016	Total number of new asylum applications	5	2019
				17	2016
				1	2013
Refugee recognition rate	100	2014			

DOMESTIC LAW

LEGAL TRADITION

Legal tradition	Name	Observation Date
	Common law	2017

COVID-19 UPDATES

	Update Status	Observation Date
<p>Latest Update</p>	<p>Jamaica successfully avoided a large COVID-19 outbreak during the initial months of the pandemic. However, since late August 2020, the numbers of confirmed infections have surged, increasing the total number of cases to nearly 8,000 by October 2020. The government announced emergency measures in September, including curfews and limits to the size of public gatherings. There does not appear to have been any particular measures taken with respect to migrants or asylum seekers in Jamaica. Although Jamaica is a party to the 1951 UN Refugee Convention, it does not have corresponding asylum legislation and there are no official mechanisms in place to assist in the identification of asylum seekers. In 2019, Jamaica only received 5 applications for international protection, according to UNHCR. And although the refugee agency reported that there were no refugees in Jamaica that year, there were 121 displaced Venezuelans in the country. The UN Department of Economic and Social Affairs (UNDESA) reported that in 2019, there were 23,468 international migrants in Jamaica. The government has been slow to implement protective measures in prisons. As of 31 August, the government was still refusing to release low-risk detainees in high-density prisons to curb the virus' spread. In addition, authorities do not make it compulsory for people within penal institutions to wear face masks. The director of the prisoner rights group "Stand Up For Jamaica" expressed concern that scores of inmates may be vulnerable to the spread of the virus, citing the country's long-standing problem of overcrowding in prisons. Gullotta has called for the government to release low-risk prisoners, especially juvenile offenders who have not seen their relatives in months and are prone to psychological problems. Gullotta said that her "major concern was, in a place like prisons, where people are packed up and in a permanently overcrowded environment, the fact that people can enter means a huge risk for all of them." The government's decision to not impose the wearing of face masks within penal institutions was defended by Minister Matthew Samuda who said that "mask wearing is only imposed on all those who work in the facilities because it's the people who work within the facilities who could have brought it in." Yet, on 31 August, four detainees tested positive at the Horizon penitentiary in Kingston. The detainees were placed in isolation and the facility suspended the admission of any new detainees. Two other detainees then tested positive for the virus on 22 September at the Tower Street prison, another Kingston prison. Although the GDP has been unable to find any information about protections provided to immigration detainees in Jamaica, there are long-standing concerns that the country does not provide appropriate conditions of detention for people in immigration procedures. In 2017, the UN Committee on Migrant workers issued a series of recommendations in its "concluding observations" during the periodic review of Jamaica. The committee stated: "The Committee recommends that the State party ensure that its national laws, policies and practices adequately respect the right to liberty and the prohibition of arbitrary detention of migrant workers and members of their families, and in particular that it: (a) Amend the Aliens Act to include, as a priority response to irregular migration, alternatives to detention for migration-related administrative infractions and measures to ensure that detention is used only as an exceptional measure of last resort, in line with the Committee's general comment No. 2 (2013) on the rights of migrant workers in an irregular situation and members of their families; (b) Ensure due process in all detention procedures within the State party's jurisdiction, including in international waters; (c) Ensure that family members and children are not detained on the basis of their immigration status or, in the case of children, their parents' status and adopt alternatives to detention that allow children to remain with family members and/or guardians; (d) Decriminalize irregular migration and ensure that migrant workers and members of their families have access to legal aid, effective remedies, justice and consular services, and that the guarantees enshrined in the Convention are upheld, in full compliance with articles 16 and 17 of the Convention; (e) Provide information on the number of migrant workers arrested, detained and expelled for immigration-related infractions, the reasons for their detention and expulsion and their detention conditions, including the length of detention."</p>	<p>2020</p>

INTERNATIONAL LAW

Relevant international treaties and date of ratification

International treaties	Name	Ratification Year
	ICRMW, International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families	2008
	CRPD, Convention on the Rights of Persons with Disabilities	2007
	CTOCSP, Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime	2003
	CTOCTP, Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children	2003
	CRC, Convention on the Rights of the Child	1991
	CEDAW, Convention on the Elimination of All Forms of Discrimination against Women	1984
	PCRSR, Protocol to the Geneva Convention Relating to the Status of Refugees	1980
	VCCR, Vienna Convention on Consular Relations	1976
	ICCPR, International Covenant on Civil and Political Rights	1975
	ICESCR, International Covenant on Economic, Social and Cultural Rights	1975
	ICERD, International Convention on the Elimination of All Forms of Racial Discrimination	1971
	CRSR, Geneva Convention Relating to the Status of Refugees	1964
Ratio of relevant international treaties ratified	12/19	

Relevant international treaties and date of ratification

Ratio of complaints procedures accepted	Number	Observation Date
	0/7	
	0/7	

Relevant international treaties and date of ratification

Relevant recommendations issued by treaty bodies	Name	Recommendation Excerpt	Recommendation Year
	Committee on Migrant Workers	<p>§ 37. The Committee recommends that the State party ensure that its national laws, policies and practices adequately respect the right to liberty and the prohibition of arbitrary detention of migrant workers and members of their families, and in particular that it: (a) Amend the Aliens Act to include, as a priority response to irregular migration, alternatives to detention for migration-related administrative infractions and measures to ensure that detention is used only as an exceptional measure of last resort, in line with the Committee’s general comment No. 2 (2013) on the rights of migrant workers in an irregular situation and members of their families; (b) Ensure due process in all detention procedures within the State party’s jurisdiction, including in international waters; (c) Ensure that family members and children are not detained on the basis of their immigration status or, in the case of children, their parents’ status and adopt alternatives to detention that allow children to remain with family members and/or guardians; (d) Decriminalize irregular migration and ensure that migrant workers and members of their families have access to legal aid, effective remedies, justice and consular services, and that the guarantees enshrined in the Convention are upheld, in full compliance with articles 16 and 17 of the Convention; (e) Provide information on the number of migrant workers arrested, detained and expelled for immigration-related infractions, the reasons for their detention and expulsion and their detention conditions, including the length of detention.</p>	2017

Regional treaties, regulations, and directives				
Regional legal instruments	Name		Year of Ratification (Treaty) / Transposed (Directive) / Adoption (Regulation)	
	ACHR, American Convention on Human Rights		1978	
	CBDP, Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women (Convention of Belem do Para)		2005	
Non treaty-based international human rights mechanisms				
Visits by special procedures of the Human Rights Council	Name		Year of Visit	Observation Date
	Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment		2010	2015
Non treaty-based international human rights mechanisms				
Relevant recommendations of the UN Universal Periodic Review	Recomendation Issued	Year Issued	Observation Date	
	No	2011	2017	
	Yes	2015		

INSTITUTIONAL INDICATORS

More information about immigration detention in Jamaica is available at the website of the Global Detention Project (www.globaldetentionproject.org)