



# FACT SHEET

## HIV and the Law: Youth in Jamaica



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### Global Snapshot

- Young women 15-24 years old are most vulnerable to HIV with an estimated HIV prevalence rate of 0.5%, a rate nearly twice as high as young men of the same age.<sup>1</sup>
- In 2010, 106 countries reported having laws, regulations or policies that obstruct access to HIV services for populations at higher risk of HIV exposure.<sup>2</sup>
- In many countries with generalized epidemics less than 50% of young men and women lack comprehensive and correct knowledge about HIV, and in particular knowledge about the effectiveness of condoms in preventing HIV transmission.<sup>3</sup>
- Effective, age appropriate, culturally relevant, and accurate sexuality education is a vital part of HIV prevention and is also critical to achieving targets for reproductive health and HIV prevention, treatment, care and support.<sup>4</sup> Importantly, such programs have never been shown to increase sexual risk-taking.<sup>5</sup>

### The Caribbean

- HIV prevalence among adults in the Caribbean is 1.0%, higher than all other regions outside of sub-Saharan Africa. 12,000 new infections occurred in 2012, an average of 33 new infections every day. 11,000 AIDS related deaths occurred in 2012 or 30 persons per day.<sup>6</sup>
- Girls between the ages of 13-15 have a higher prevalence of HIV/AIDS than boys their age, indicating that inter-generational sex and power dynamics inherent in those relationships further increase the vulnerability of young women and girls.<sup>7</sup>

### HIV in Jamaica

- An estimated 28,000 people were living with HIV at the end of 2012.<sup>8</sup> Between 1982 and 2010, a total of 8,102 deaths have been attributed to AIDS.<sup>9</sup>
- Each year an additional 1,400 Jamaicans will become newly infected with HIV.<sup>10</sup>

### HIV Prevention Knowledge Among Young Adults in Jamaica

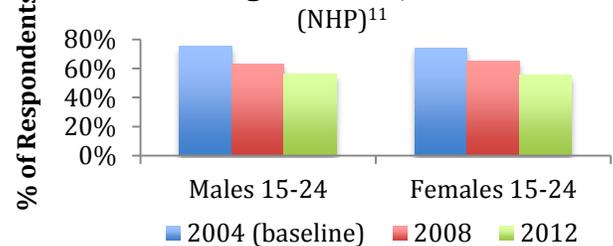


Figure reflects proportion correctly identifying all three basic HIV prevention practices: abstinence, one faithful partner, and condoms.

- Among all young adults 15-24 years old, **only 34% of men and 43% of women could correctly reject major misconceptions about HIV transmission** and identify all three basic prevention practices.<sup>12</sup>
- Nearly 50% of young men and 13.5% of young women reported having sexual intercourse before the age of 15.<sup>13</sup>
- Among adolescent girls with multiple partners, only 48% reported use of a condom at last sex, compared to 43% of young women, and 33% among adult women, suggesting that declines in social and economic conditions are eroding the ability of women to negotiate condom use.<sup>14</sup>
- **Girls 15-19 years old are three times more likely to be infected than boys their age**, indicating that inter-generational sex and transactional sex, including the “sugar daddy” phenomenon, are especially prevalent.<sup>15</sup>

### Recommendations for Action:

- Ensure teaching of comprehensive, age-appropriate, culturally relevant, sexuality education in schools.
- Improve social support programs to reduce incentives to pursue inter-generational sex.
- Guarantee right to privacy and confidentiality for sexually active youth seeking health services.
- Facilitate discussion on sexuality, reproductive health, and safe sex, and debunk myths about HIV.

Additional recommendations from the Global Commission on HIV and the Law may be found at: <http://hivlawcommission.org/>

## Enabling Legal and Policy Environment Caribbean-wide

- In June 2010, PANCAP developed the CARICOM Model Anti-Discrimination Law, which provides for the elimination of discrimination on the grounds of HIV status, sexual orientation, gender, disability and status as an orphan. The model law was subsequently refined in March 2012.<sup>16</sup>
- In August 2008, at the First Meeting of Ministers of Health and Education to stop HIV and STIs in Latin America and the Caribbean, Jamaica endorsed the Preventing Through Education declaration, which noted that providing **quality education that includes comprehensive sexuality education is a human right** and does not promote sexual risk-taking behaviour, and agreed to implement comprehensive sexuality education in schools which includes topics on gender, and the diversity of sexual orientations and identities.<sup>17</sup>

### In Jamaica

- In April 2011, leaders of the Jamaican government and opposition signed a joint **Declaration of Commitment to eliminate stigma and discrimination and gender inequality** affecting the HIV response in Jamaica.<sup>18</sup>
- The Jamaican cabinet recently approved an amendment to the Public Health Order to clarify that HIV/AIDS is listed as a communicable disease for the sole purpose of surveillance reporting to the Ministry of Health.<sup>19</sup>
- In May 2013 the Jamaican Ministry of Health integrated the National HIV/STI Programme with the National Family Planning Board.<sup>20</sup>
- The Ministry of Health is currently revising clinical guidelines for management of HIV/AIDS.<sup>21</sup>
- A multi-stakeholder group formed to begin discussions around developing an Adolescent Sexual Reproductive Health policy.<sup>22</sup>
- A review is currently being conducted of the Child Care and Protection Act.<sup>23</sup>
- Parliament approved the National Workplace Policy on HIV/AIDS and regulations are in development.<sup>24</sup>
- The National HIV-Related Discrimination Reporting and Redress System continues to document and seek redress in cases of alleged discrimination. A review of the system is currently underway.<sup>25</sup>

## Examples of laws and practices that hinder the HIV response:

- Legal barriers that stigmatize or prevent children and young people from accessing prevention and treatment services without parental/guardian consent, or which fail to protect their privacy and confidentiality.
- Inadequate health education programs that fail to teach basic HIV/STI prevention methods or correct misconceptions about their transmission, that don't provide appropriate life-skills training, including how to develop healthy relationships and make responsible decisions about sexuality such as negotiating safer sex and rejecting sexual advances, or that reinforce or perpetuate gender stereotypes, homophobia, or intimate partner violence.
- Social norms that reinforce gender inequality, power imbalances in relationships, or that tacitly accept or condone inter-generational sex.
- Laws and practices that directly or indirectly discriminate or stigmatize children living with or affected by HIV, including in the context of health, education, adoption and inheritance.

### Sources:

- <sup>1</sup> UNAIDS. Report on the Global AIDS Epidemic. A39. 2013.
- <sup>2</sup> Vulnerable subpopulations include sex workers, men who have sex with men, injecting drug users, transgender people, women and children.
- <sup>3</sup> UNAIDS. Report on the Global AIDS Epidemic. 36. 2012.
- <sup>4</sup> UNESCO. International Technical Guidance on Sexuality Education. 2009.
- <sup>5</sup> Boonstra, H. Advancing Sexuality Education in Developing Countries: Evidence and Implications. *Guttmacher Policy Review* 2011:14:3.
- <sup>6</sup> Figures drawn from: UNAIDS. Report on the Global AIDS Epidemic. 2013.
- <sup>7</sup> Kashyap, A. *Speech at the Opening Ceremony of Global Validation & Lessons Learned Workshop of Support for Gender Equality in the Context of HIV/AIDS*. UN/UNDP Jamaica. July 30, 2013.
- <sup>8</sup> UNAIDS. Report on the Global AIDS Epidemic. A10. 2013.
- <sup>9</sup> UNAIDS. Country Progress Report: Jamaica. 16. March 30, 2012.
- <sup>10</sup> UNAIDS. Report on the Global AIDS Epidemic. A22. 2013.
- <sup>11</sup> National HIV/STI Programme. Knowledge, Attitudes, Behaviour, and Practices Survey, Jamaica. 2012.
- <sup>12</sup> UNAIDS. Country Progress Report: Jamaica. 9. March 30, 2012.
- <sup>13</sup> Id.
- <sup>14</sup> Id. at 29.
- <sup>15</sup> Jamaica Observer. *Women more vulnerable to new HIV infections*. August 6, 2013.
- <sup>16</sup> CARICOM. Press Release: PANCAP Model Anti-discrimination Legislation – Interface between Public Health and Human Rights. March, 21, 2012.
- <sup>17</sup> UNAIDS. Preventing through education declaration. 1<sup>st</sup> Meeting of Ministers of Health and Education to Stop HIV and STIs in Latin America. August 1, 2008.
- <sup>18</sup> UNAIDS. Country Progress Report: Jamaica. 21. March 30, 2012.
- <sup>19</sup> UNDP. (Draft) Report Second Stakeholder Workshop: HIV and the Law Project. August 20, 2013.
- <sup>20</sup> Id.
- <sup>21</sup> Jamaica Ministry of Health. (Draft) Clinical Management of HIV Disease: Guideline for Medical Practitioners. 2013.
- <sup>22-25</sup> UNDP. (Draft) Report Second Stakeholder Workshop HIV and the Law Project. August 20, 2013.

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