

JAMAICA 2017 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The constitution provides for freedom of religion, including the freedom to worship and to change religion. It prohibits discrimination based on belief. A colonial-era law criminalizing the practices of Obeah and Myalism remains in effect, but it is not enforced. Rastafarians stated acceptance of their views and practices continued to improve markedly, although incidents of discrimination and profiling by police continued to occur. Rastafarians continued to state their opposition to the state-mandated immunization of children as a prerequisite to register and attend school; however, Rastafarian sources said most Rastafarian students could obtain a doctor's note excusing them from the requirement. In April Prime Minister Andrew Holness officially apologized to Rastafarians on behalf of the government for a 1963 police operation that resulted in the deaths of at least three Rastafarians and the imprisonment of many others. He also announced the creation of a trust fund to benefit survivors and designated land for a Rastafarian heritage site.

Seventh-day Adventists stated their observance of a Saturday Sabbath continued to result in discrimination by some employers, despite a "flexi-work week" law passed by parliament in 2014 granting employees the right to negotiate working hours. Rastafarians said elements of their religious observances, such as wearing dreadlocks and smoking marijuana, continued to present barriers in private and public sector employment and professional advancement. Local media outlets continued to provide a forum for religious dialogue open to participants from all religious groups. The nongovernmental organization (NGO) Jamaica Council for Interfaith Fellowship, which includes representatives from Christian, Rastafarian, Hindu, Family Federation for World Peace and Unification (Unification Church), Bahai, Jewish, Muslim, and Buddhist organizations, held events to educate the public about religious tolerance and diversity.

U.S. embassy officials met regularly with leaders of religious groups, including Christians, Muslims, Jews, and Rastafarians. U.S. embassy officials engaged senior Ministry of Foreign Affairs and Foreign Trade officials in August regarding the status of religious freedom in the country and in September to discuss the two governments' respective positions pertaining to religious freedom issues in multilateral institutions. The embassy discussed the importance of religious tolerance and respect for diversity, citizen security, and fundamental human rights associated with religious freedom, including freedom of expression and assembly.

The Ambassador and other embassy officials promoted religious tolerance in official remarks.

Section I. Religious Demography

The U.S. government estimates the total population at 3 million (July 2017 estimate). According to the most recent census in 2011, 26 percent of the population belongs to various branches of the Church of God; 12 percent is Seventh-day Adventist; 11 percent Pentecostal; 7 percent Baptist; 3 percent Anglican; 2 percent Roman Catholic; 2 percent United Church; 2 percent Methodist; 2 percent Jehovah's Witnesses; 1 percent Moravian; and 1 percent Brethren. Two percent declined to state a religious affiliation. Other religious groups constitute 8 percent of the population, including approximately 29,000 Rastafarians, 1,500 Muslims (Muslim groups estimate their numbers at 6,500), 1,800 Hindus, 500 Jews, and 270 Bahais. The Church of Jesus Christ of Latter-day Saints (Mormons) estimates approximately 5,000 members. The census reports 21 percent have no religious affiliation. There is no census data on adherents to Obeah and Myalism, since those belief systems are outlawed.

Section II. Status of Government Respect for Religious Freedom

Legal Framework

The constitution provides for freedom of thought and religion, including the freedom to change one's religion or belief either alone or in community with others, both in public and in private, and to manifest and propagate one's religion or belief in worship. It prohibits discrimination based on belief. The constitution provides that rights and freedoms are protected to the extent they do not "prejudice the rights and freedoms of others."

A law criminalizing Obeah and Myalism, religious practices with West African influences, remains in effect, with possible imprisonment of up to 12 months for practicing or consulting a practitioner of Obeah or Myalism. Authorities have rarely enforced the law since the country became independent in 1962, and there were no reported arrests or prosecutions of Obeah practitioners during the year.

Registration with the government is not mandatory for religious groups, but registered groups obtain incorporated group status and gain benefits, including the ability to hold land, to enter into legal disputes as an organization, and for clergy to visit members in prison. Groups may seek incorporated status by applying to the

Companies Office, an executive agency. The Companies Office application comprises a standard form and a fee of 24,500 Jamaican dollars (\$190). NGOs register via the same form and fee structure to gain incorporated status. Groups incorporated through this process must subsequently submit annual reports and financial statements to the Companies Office.

Alternatively groups may petition the parliament to be incorporated by parliamentary act. Such groups receive similar benefits to those incorporating through the Companies Office, but parliament does not require annual reports or regulate the organizations it incorporates.

Regardless of incorporation status, religious groups seeking tax-exempt transactions must register as charities. To be considered a charity, an organization must apply to the Cooperatives and Friendly Societies Department in the Ministry of Industry, Commerce, Agriculture, and Fisheries. Once registered, groups must submit their registration to the customs department in the Ministry of Finance and the Public Service or apply to the tax administration to be considered for tax-free status.

The constitution states religious groups have the right to provide religious instruction to members of their communities. No individual may be required to receive religious instruction or participate in religious observances contrary to his or her beliefs. The public school curriculum includes nondenominational religious education, which focuses on the historical role of religion in society and philosophical thought and includes group visits to Christian, Jewish, Muslim, and Hindu houses of worship. Students may not opt out of religious education; however, religious devotion or practice during school hours is optional. Churches operate a number of private schools. Churches also run some public schools; they receive funding from the government and must abide by Ministry of Education rules. Religious schools are not subject to any special restrictions; they do not receive special treatment from the government based on their religious or denominational affiliation. Most religious schools are affiliated with Catholic or Protestant churches; the Islamic Council of Jamaica runs two schools. Immunizations are mandatory for all children attending both public and private schools.

Foreign religious workers traveling to the country to perform religious work, like all foreign visitors, require an entry visa. The entry visa may be obtained upon arrival or in advance, depending on the nationality of the traveler and the length of stay. Religious workers, regardless of affiliation, who visit the country to work

with a religious organization, require a work permit from the Ministry of Labor and Social Security.

The country is a party to the International Covenant on Civil and Political Rights.

Government Practices

On April 4, Prime Minister Andrew Holness officially apologized in parliament on behalf of the government for the 1963 police operation in St. James Parish, referred to as the Coral Gardens incident, which led to the deaths of at least three Rastafarians and the imprisonment of many others. Calling the incident “a grave injustice,” Holness announced the establishment of a 10 million Jamaican dollar (\$78,100) trust fund to benefit survivors and designated land for a Rastafarian heritage site near the location of the first Rastafarian village. Some Rastafarians said the prime minister’s apology for the Coral Gardens incident was insufficient and said the government should allocate a larger amount for the survivors’ trust fund and provide more land for the planned Rastafarian heritage site. The government provided an avenue for feedback from Rastafarian groups but did not increase the amount of funding or land.

Muslim and Rastafarian groups stated the Department of Correctional Services (DCS) enabled them to regularly visit prisons to provide readings, teaching, and counseling to inmates. Rastafarians also said prison authorities did not interfere with Rastafarian inmates who chose to grow dreadlocks. The DCS Chaplaincy consisted of several full-time Christian chaplains, and the DCS allowed outside organizations to visit correctional facilities after completing a standard application process.

Rastafarians continued to say the 2015 passage and attendant enforcement of the law legalizing limited marijuana usage for religious purposes had allowed them to practice their religion according to their beliefs. Rastafarians said law enforcement officials on rare occasions still profiled, stopped, and searched Rastafarians for possession of marijuana over the decriminalized limit, but they were no longer concerned about being detained for carrying marijuana to religious ceremonies for use as a sacrament.

Rastafarians continued to state their religious opposition to immunization, a requirement for children to register and attend school; however, according to Rastafarian sources, most Rastafarian students could obtain a doctor’s note excusing them from the required immunizations. A Supreme Court case

challenging the immunization requirement remained pending. Rastafarians also stated discrimination against Rastafarian children at schools was very rare and generally occurred only in rural areas.

On October 8, the government began its annual National Heritage Week festivities with an interfaith religious service organized by the Ministry of Culture, Gender, Entertainment, and Sport in cooperation with the NGO Jamaica Council for Interfaith Fellowship. The service included readings by representatives of Christian, Muslim, Jewish, Rastafarian, Bahai, Buddhist, and Hindu groups and was attended by the country's governor general. A cultural development commission official said the interfaith service was a true reflection of the country's "Out of Many One" heritage.

Section III. Status of Societal Respect for Religious Freedom

Rastafarians continued to state some elements of their religious observances, such as wearing dreadlocks and smoking marijuana, limited their ability to find private-sector employment and achieve professional status. For example, Rastafarian professionals described being "typecast" as marijuana dealers, approached by suspicious security guards in public places due to their appearance, and told they could have more success in corporate careers if they "cleaned up." They stated, however, such discrimination continued to diminish, as evidenced by Rastafarians in highly regarded professional, government, and academic positions, in part because their style of dress and music was gaining wider societal acceptance.

Seventh-day Adventists said they continued to face difficulties in finding or keeping private sector employment because of their observance of the Sabbath from sunset on Friday to sunset on Saturday. They said some businesses were still reluctant to hire employees who could not work Saturdays even though the parliament had passed a "flexi-work" law in 2014 granting employees the right to negotiate working hours.

Christian, Jewish, and Muslim groups said society was tolerant of religious diversity and pointed to their continued involvement, along with other faiths, in the Jamaica Council for Interfaith Fellowship. The interfaith council included representatives from the Rastafari Innity Council Sanatan Dharma Mandir United Church, Unification Church, National Spiritual Assembly of the Bahais, United Congregation of Israelites, Islamic Council, and Soka Gakkai International. Other organizations sometimes participated in council events. The council continued to coordinate public educational events, including annual interfaith awareness days.

The Islamic Council of Jamaica said large groups of secondary school students visited one of the council's 13 mosques as part of the government's religious education syllabus. Ninety percent of the students in the council's two schools were non-Muslim.

Local media outlets continued to provide a forum for extensive coverage and open dialogue on religious matters through radio and television shows, such as the program *Religious Hardtalk* on Television Jamaica, and on opinion pages and letters to the editor in newspapers such as *The Gleaner* and *The Jamaica Observer*. Topics of discussion in the media included Christian theological debates, the criminalization of Obeah, society's treatment of atheists, and religious groups' views on lesbian, gay, bisexual, transgender, and intersex individual rights.

Section IV. U.S. Government Policy and Engagement

U.S. embassy officials engaged senior officials of the Ministry of Foreign Affairs and Foreign Trade in August to discuss the status of religious freedom in the country and in September to discuss the two governments' respective positions pertaining to religious freedom issues in multilateral institutions. Embassy officials met regularly with leaders of religious groups, including Christians, Jews, Muslims, and Rastafarians, to discuss the importance of religious tolerance and social inclusion, citizen security concerns of religious groups, and the freedom of expression and assembly in relation to religious freedom. Embassy officials also discussed the religious organizations' roles in combating violence and criminality.

The Ambassador and other embassy officials included references to the value of religious tolerance in speeches and other official communications.