

JAMAICA 2016 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 is not enforced. Rastafarians stated acceptance of their views and practices had improved markedly, although cases of discrimination and profiling by police do continue to occur. In addition, Rastafarians reiterated their opposition to the state-mandated immunization of children as a prerequisite to register and attend school.

Seventh-day Adventists stated their observance of a Saturday Sabbath caused them to be discriminated against by some employers, despite a “flexi-work week” law passed by parliament in 2014 that gave employees the right to negotiate working hours. Rastafarians stated elements of their religious observances, such as wearing dreadlocks and smoking marijuana, continued to present barriers in employment and professional advancement. Local media outlets provided a forum for religious debate, open to participants from all religious groups.

U.S. embassy officers met with government officials and religious groups, including Christians, Muslims, Jews, and Rastafarians. In support of its religious freedom goals the embassy discussed tolerance and diversity, citizen security, human rights, and social inclusion. Embassy officer also interacted with religious leaders who had taken part in a U.S.-sponsored citizen exchange program about advocating for minority rights.

Section I. Religious Demography

The U.S. government estimates the total population at 3 million (July 2016). According to the most recent census (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 answer questions about religious affiliation. Other religious groups constitute 8 percent of the population, including approximately 29,000 Rastafarians, 1,500 Muslims (Muslim groups estimate their current numbers at 6,500), 1,800 Hindus, 500 Jews, and 270 Bahais. The Church of Jesus Christ of Latter-day Saints

(Mormons) indicates approximately 5,000 members reside on the island. The census reports 21 percent have no religious affiliation.

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 and the freedom, either alone or in community with others, both in public and in private, 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. In 2013, the parliament amended the law to remove flogging as a possible punishment, but left the possibility of imprisonment for 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.

Registration with the government is not mandatory for religious groups, but groups that register obtain incorporated group status and gain benefits such as 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 government's Companies Office. The Companies Office application comprises a standard form and a fee of 24,500 Jamaican dollars (\$191). Nongovernmental organizations register via the same form and fee 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 that incorporate through the Companies Office, but parliament does not require annual reports or regulate the organizations it incorporates.

Regardless of incorporation status, religious groups wanting to engage in tax-exempt transactions must register as charities. To be considered as charities, organizations, including religious groups, must apply to the Cooperatives and Friendly Societies Department at the Ministry of Industry, Commerce, Agriculture,

and Fisheries. Once registered, groups must submit their registration to the customs department or apply to the tax administration to be considered for tax-free status.

The constitution states that 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. Students may not opt out of religious education; however, religious devotion or practice during school hours is optional. A number of private schools are operated by churches and a number of public institutions have church affiliations. Some public schools also are run by churches, but receive funding from the government and are required to abide by the rules of the Ministry of Education. Religious schools are not subject to any special restrictions and 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; there are two schools run by the Islamic Council of Jamaica. Regulations require that children must be immunized in order to attend schools, whether run by the government or a religious organization.

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

Government Practices

Rastafarians stated that the 2015 passage and attendant enforcement of the law that legalized marijuana usage for religious purposes assuaged their concerns about the government's longstanding ban on marijuana use. Rastafarians stated law enforcement officials adopted appropriate changes in applying and enforcing the new law, but in rare cases continued to profile, stop, and search for possession of marijuana over the decriminalized limit. Rastafarians continued to state their religious opposition to immunization, which is a requirement for children to register and attend school.

Section III. Status of Societal Respect for Religious Freedom

Rastafarians stated elements of their religious observances, such as wearing dreadlocks and smoking marijuana, still presented barriers to their ability to find employment and achieve professional status. They stated, however, such

discrimination had diminished considerably in recent years, especially as their style of clothing and music gained wider acceptance.

Seventh-day Adventists reported instances of difficulty finding or keeping work due to their observance of the Sabbath from sunset on Friday to sunset on Saturday. They stated the “flexi-work” law passed by parliament in 2014 had alleviated but not solved the problem, as some businesses remained reluctant to hire employees who could not work Saturdays.

Muslim, Jewish, and Christian groups reported society was tolerant of religious diversity and pointed to their involvement, along with other faiths, in the Jamaica Council for Interfaith Fellowship. The Islamic Council of Jamaica also cited large groups of school students visiting the council’s mosques as part of the government’s religious education syllabus. Ninety percent of the students in the Council’s two schools are non-Muslim.

Local media outlets continued to provide a forum for extensive coverage and open debate 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.

Section IV. U.S. Government Policy

The U.S. embassy held meetings and encouraged dialogue among religious groups, including Christians, Muslims, Jews, and Rastafarians, as part of its overall efforts to promote religious freedom. The Ambassador and other embassy officers promoted religious tolerance and included references to religious freedom and tolerance in speeches and other official communications. U.S. embassy officers met with religious leaders who had taken part in a U.S.-sponsored citizen exchange program to discuss advocacy for minority rights. In its dialogue with government officials and religious groups, the embassy discussed religious freedom, citizen security, human rights, and social inclusion.