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INTRODUCTION

Jamaica is a small island developing state situated in the Caribbean. It is the third largest island in the Caribbean, with an approximate population of 2.8 million and a Gross Domestic Product (GDP) of $14.6 billion. Agriculture and tourism are two of Jamaica’s main industries, with the latter contributing significantly to the country’s economy as well as the tourism industry. However, the COVID-19 pandemic had a significant impact on the tourism industry, with the number of visitors dropping by 68% in 2020.

Jamaica has a high prevalence of gender-based violence (GBV), with a domestic violence rate that increased by 15.6% in 2022 compared to the previous year. In addition, 24% of ever-partnered women and girls aged 15-49 years have experienced physical and/or sexual violence from a current or former intimate partner. Emotional abuse is the most common form of IPV in Jamaica, with 29% of Jamaican women having experienced it. Economic abuse affects 8.5% of women, and non-partner sexual violence affects 23% of women. Exposure to violence has been found to have negative implications for women’s physical and emotional health. Survivors were more likely to have suicidal thoughts and to use recreational drugs. The Covid-19 pandemic has intensified IPV, with a higher percentage of women reporting frequent experiences of IPV. Overall, the data highlights the need for continued efforts to prevent and address GBV in Jamaica.

PREVALENCE OF GENDER-BASED VIOLENCE: PRE- AND POST-COVID

UN Women Prevalence Data on Different Forms of Violence against Women:6

— Lifetime Physical and/or Sexual Intimate Partner Violence: 27.8%
— Physical and/or Sexual Intimate Partner Violence in the last 12 months: 7%
— Lifetime Non-Partner Sexual Violence: 23%
— Child Marriage: 7.9%

Jamaica has a GII value of 0.335, ranking it 80 out of 170 countries in 2021.

Regarding the Global Gender Gap Index, Jamaica has an overall rank of 38th according to the Global Gender Gap Index 2022 a great advance compared to the previous year rank 40th.

Jamaica Women’s deaths at the hands of their intimate partner or former partner rate was 0.6 over 100,000 women by 2021.7 Accordingly, the percentage of ever partnered women and girls aged 15-49 years subjected to physical and/or sexual violence by a current or former intimate partner was 24%.8

In the first 10 months of 2022, the number of domestic violence cases referred to the Domestic Violence Intervention Centres (DVICs) in Jamaica by police divisions were already 15.6% higher than the referrals for all of 2021. In 2022, 1324 cases were referred to the DVICs compared to 1145 cases in 2021.9 Moreover, the 2016 UN Women survey on women’s health in Jamaica showed that 77 per cent of women find it is natural (or God-intended) that a man should be the head of his family; 70 per cent agree that a woman’s main role is to take care of the home, and 31 per cent believe that a wife is obligated to have sex with her husband whenever he wants.10

There is scarce information on Gender Based Violence in Jamaica. The most complete information on GBV regarding Intimate Partner Violence (IPV) Emotional

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7 Gender Equality Observatory for Latin America and the Caribbean. Jamaic Profile https://oig.cepal.org/en/countries/75/profile
Violence and other types of violence dates of 2016 and has little to no updates in the topics gathered for the report. The Women’s Health Survey, 2016 collected data on women’s experiences with physical, sexual, emotional and economic violence in intimate relationships, and with non-partner sexual violence. It examined whether this had happened to women at any point over their lives (lifetime prevalence), and if it happened in the 12 months prior to the survey (current prevalence). The following information was gathered from said document:

— One in every four Jamaican women (25.2 per cent) has experienced physical violence by a male partner, and 7.7 per cent have been sexually abused by a male partner.

— The acts of physical partner violence that women most commonly experience include being slapped (19.7 per cent), beaten with fists (14.7 per cent) and being pushed (14.3 per cent). 7.6 per cent report being kicked and 7.7 per cent report being threatened with or actually attacked with a weapon.

— Emotional abuse is the most common form of Intimate Partner Violence (IPV) and is suffered by almost 29 per cent of Jamaican women. This includes women being humiliated, belittled, or intimidated by male partners. It also covers verbal threats to women or someone they care about, such as their children.

— Regarding other types of violence such as economic abuse in Jamaica, 8.5 per cent of women reported having experiences with this type of abuse, which involves being refused money by a partner on whom they are financially dependent, having their income taken away, or being prevented from working by a male partner.

— Exposure to violence has been found to have negative implications for women’s physical and emotional health. Survivors were more likely to have suicidal thoughts (12.2%), and to use recreational drugs (5.4%), than women who did not experience IPV. The data also confirms the intergenerational nature of the experience and use of violence. Women partnered with men who witnessed or experienced physical abuse during childhood had higher rates of IPV.

— Non-Partner Sexual Violence (NPSV): In Jamaica, 23 per cent of women have experienced sexual violence from a man who was not an intimate partner. Approximately one of every four women had experienced sexual harassment, and 10 per cent reported being forced to have sexual intercourse.

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13 That is, saw his mother beaten or he was beaten as a child.
14 NPSV includes forced intercourse, attempted intercourse, unwanted sexual touching and sexual harassment perpetrated by someone other than an intimate partner.
intercourse. One-fifth of women reported being sexually abused as children. The main perpetrators of this violence against girls were friends and acquaintances (22.9%), complete strangers (16.6%) and family members other than parents or siblings (1.9%).

Overall, the data paints a picture in which women and girls are at risk of physical and sexual violence from their intimate partners, friends, acquaintances, and members of their own families. This confirms that what is known about VAWG globally is also true for Jamaica: the main threat to women and girls is not from strangers but from people with whom they have intimate, non-intimate, and familial relationships.

Intimate Partner Violence is reported to have increased during the Covid-19 pandemic: A study\(^{15}\) published in 2021 found that IPV has intensified during the pandemic, with a higher percentage of women reporting experiences of frequent IPV (53%) compared to 49% who had frequent experiences of IPV before the pandemic.\(^{16}\) On the same line, the Gender Equality Observatory for Latin America and the Caribbean states that Women’s deaths at the hands of their intimate partner or former partner rate was of 0.5 per 100,000 women by 2020, while by 2021 the rate was higher with 0.6 per 100,000 women.

**SOCIAL NORMS WHICH DRIVE GBV**

Despite Jamaica’s many efforts to combat GBV and improve the personal security of women and girls, a number of systemic and ideological challenges in addressing GBV in Jamaica remain. Among these remaining barriers are social norms that have allowed GBV to thrive across generations.

Examination of the social norms which serve to entrench GBV found that Jamaican society still closely adheres to patriarchal/traditional gender norms which are based on systems and assumptions about gender roles that rationalize and support GBV. Beliefs around gendered issues such care work, and fidelity continue to restrict women’s autonomy, giving credence to men’s controlling behaviours, threats and use of violence against women. As in many CARICOM states, these views are shaped by religious teachings, beliefs about male entitlement to women’s bodies, the perception that IPV is a private matter, and acceptance of corporal punishment as a means of disciplining children.


\(^{16}\) Researchers conducted a random sampling correlation research design to collect data from 513 Jamaican women 18 years and older across the island using a standardized survey created using Google forms.
This was confirmed by the Women’s Health Survey (WHS) which found that the prevailing views of women in Jamaican society about women and men’s roles in the family and in intimate relationships are largely in line with traditional assumptions about gender roles and behaviours. For the most part, men are predominantly seen as breadwinners and women as nurturers and responsible for domestic duties. Perceptions are changing, as evidenced by the findings, which show that women are almost universal in their belief that men and women should share authority in the family even while close to 80 per cent nonetheless believed that a man was the ‘natural’ head of the family, and almost one third (30.9%) believed violence between a man and a woman was a private matter. The qualitative study\textsuperscript{17} found that in Jamaica, it is expected that men should be aggressive, powerful, controlling, and dominant. These ingrained societal norms reinforce the unequal gender power relations and the intersecting forms of discrimination and violence that women and girls experience. But women do not believe that VAWG is acceptable or justified. These mixed results demonstrate that, while there is fidelity to some norms, in other cases, there is a willingness to break from conventional beliefs which fuel GBV.

Under-reporting of VAWG to formal channels in Jamaica is a serious concern. This was underscored by the WHS, which found that almost two-thirds (63%) of female victims who had recently experienced physical and or sexual partner violence did not seek any help. Of those who sought help, only 32% of them sought help from the police and 12% from health services. Women, however, speak about their abuse to friends and family members; almost 85 per cent disclosed this violence to someone. Hence, while they do not report it formally, women are not silent about their abuse.

\textsuperscript{17} A qualitative study was done as a companion to the WHS, but a separate report was not published for Jamaica. Rather the main findings were presented in the WHS Report.

Specifically, the following laws anchor the legal framework for response to GBV in Jamaica:

**The Domestic Violence Act, 1995 (Amendment) 2004:** The Act provides for enhanced protection for victims of domestic violence and abuse and applies to both spouses and de facto (common law) spouses. The Act also now makes provision for persons in visiting relationships and allows for the Courts to issue Protection Orders, keeping the accused away from the home, work or school of the victim. Orders can be made on behalf of men, women or children affected by violence within the home.

**The Sexual Offences Act, 2011:** This act is the primary source of sexual offence prohibitions and penalties in Jamaican law. The Act repeals the Incest (Punishment) Act and Sections 44-67 of the Offences Against the Person Act (OAPA), which deal with offences against females. It makes new provisions for the prosecution of rape, by strengthening and defining the offence and has created other sexual offences such as sexual grooming, grievous sexual assault and marital rape. It defines a child as a person under the age of eighteen (18) years of age. It provides for establishing a Sex Offender Registry to house a register database among other matters.

**The Child Care and Protection Act, 2004:** The Act addresses issues which affect children directly as victims, or indirectly (or potentially) as children in need of care and protection. This also includes cases of child abuse. It makes provision for mandatory reporting, the appointment of a Children’s Advocate and the establishment of a Children’s Registry to record the details of reports of child abuse.

**Trafficking in Persons (Prevention, Suppression and Punishment) Act, 2007 (Amendment) 2009:** The Act gives effect to the protocol to prevent, suppress and punish trafficking in persons, especially women and children. The Act defines the crime of Trafficking, establishes penalties, sets out the assistance and protection which will be provided to victims, and the remedies available to anyone who has been trafficked.

**Child Pornography (Prevention) Act, 2009:** This law prohibits the production, distribution, importation, exportation or possession of child pornography, and the use of children for child pornography.

**Sexual Harassment (Protection and Prevention) Act, 2021.** This new legislation creates a duty on workplaces and institutions such as schools and children’s homes to ensure an environment free of sexual harassment for all stakeholders. It defines sexual harassment, and mandates every employer or person in charge of an institution to “issue a policy statement in writing concerning the prevention of sexual harassment in the business or undertaking and the protection of the workers in the business or undertaking from sexual
harassment (s.4). It also establishes a Tribunal to hear sexual harassment claims, which have to be made in writing before considered.

**Recommendations for Improving the legal framework** include amending the Sexual Offences Act to remove the preconditions for marital rape, and including forced anal intercourse in the definition of rape. Removing the parental consent exemption to child marriages will also help to mitigate the risk of IPV to girls in these relationships. Research globally and in the Caribbean has shown that early cohabitation with a man puts girls, who are legally still children at age 17, at a high risk of IPV. Removing this parental consent exception can help reduce this risk.

The legislative landscape to combat GBV in Jamaica is buttressed by a strong policy and strategic framework to develop and implement programmes to protect women and girls from violence. This framework includes:

**National Policy on Gender Equality (NPGE), 2011:** recognised the high prevalence of GBV as one barrier to gender equality and committed the government to ‘place priority on the design and implementation of a comprehensive strategy to combat and eradicate violence against women, punish offenders and provide services for victims. The strategy should involve training of the judiciary, law enforcement officers, prosecutors, medical personnel, the media etc.” (NPGE, 2011, p.72).

The provision of additional shelters for abused women was also a key element of the policy.

**National Strategic Action Plan to Eliminate GBV (NSAP-GBV), 2017-2027:** It addresses GBV in its “multiple, interrelated and sometimes recurring forms,” recognizing that gender-based violence exists on a continuum of “physical, sexual, psychological/emotional, economic abuse and exploitation.” It is built on the following pillars, which collectively are designed to eradicate institutional and systemic barriers to the elimination of gender-based violence, focusing on root causes and its prevalence:

I. **Prevention**
II. **Protection**
III. **Investigation, prosecution and enforcement of Court Orders**
IV. **Enforcement of Victim’s Rights to Compensation, Reparation and Redress**
V. **Protocols for Coordination and Data Management Systems**

Implementation of the NSAP-GBV is the current focus of the GOJ’s effort to combat VAWG. The Bureau of Gender Affairs (BGA), is tasked to work with local stakeholders and international development partners, to implement key elements of the plan in the next 6-7 years.

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18 This offence only exists where there is a formal agreement or protection order by the court or where divorce proceedings have begun. It is also an offence if the husband knowingly has sex with his wife when he has an undisclosed sexually transmitted disease.

19 See Reports from the Women’s Health Surveys which have been conducted in five Caribbean countries.
GBV RESPONSE MECHANISMS AND SERVICES

Weak or Inadequate institutional capacity has hampered the full implementation of the legal and policy framework to address GBV in Jamaica.

The Bureau of Gender Affairs (BGA) is the body designated to coordinate and implement measures to achieve gender equality in Jamaica. It has primary responsibility for the implementation of both the NPGE and the NSAP-GBV, providing technical and secretariat support for the implementation of both.

Several other critical state and non-state institutions also have key roles to play in preventing GBV, protecting survivors, and prosecuting and enforcing laws against GBV, as well as collecting data and monitoring incidents of violence against women and children. These include the Jamaica Constabulary Force (JCF) through its Domestic Violence Intervention Centres and the Centre for the Investigation of Sexual Offence and Child Abuse (CISOCA), Victim Services Division (VSD), the Child Protection and Family Services Agency (CPFSA), the Office of the Children’s Advocate (OCA), and the Family Courts.

Advocacy around GBV is driven by civil society organizations (CSOs) that champion women’s and human rights. These Organizations are sometimes service providers for women who have suffered violence and who have intersecting vulnerabilities, such as living with HIV and having a disability. International organisations also fund programmes to eliminate GBV in Jamaica. One such programme is the Global Spotlight Initiative to Eliminate Violence Against Women, which is funded by the European Union (EU) and implemented through the UN system in Jamaica. This is a multi-year programme which is expected to end in 2023.

As the name suggests, CISOCA only investigate sexual offences and child abuse. It does not investigate physical violence, even if it occurs within the family.
CIVIL SOCIETY ORGANIZATIONS WORKING TO ELIMINATE VAWG IN JAMAICA

I. Eve for Life: Founded in 2008, Eve for Life provides services for women and children living with HIV. It provides psycho-social support and skills to cope with life with HIV. Not surprisingly, many of the women and children in its Programs are also survivors of GBV. Therefore, their interventions also address behaviors driving the HIV epidemic such as sexual coercion, violence against women, and transactional and cross-generational sex, and sex trafficking. Like many other CSO providing these services Eve for Life is a small Organization (approximately 20 team members) which depends heavily on volunteers and provides services in four parishes – Kingston and St. Andrew, St. Ann, St. James and Westmoreland. EFL has expanded its services through digital online platforms to reach more women under the COVID-19 pandemic matching women with mentor Moms who provide counselling and referrals to GBV services.

II. Women’s Resource and Outreach Centre (WROC): Located in Kingston, WROC is a community based CSO which provides a wide range of services to women of the inner-city communities in Kingston. Though located in the inner-city, WROC has also provided training and conducted assessment of the needs of women in the rural areas focusing on GBV\(^\text{21}\) and increasing opportunities for a sustainable livelihood. WROC also operates a women’s clinic at its offices and provides remedial literacy interventions for members of the communities it serves. It is currently a co-implementor (with the University of the West Indies) of the Patients’ Rights component of the Program for the Reduction of Maternal and Child Mortality in Jamaica (PROMAC). This EU funded Program, which began in 2017, is geared at raising women’s awareness about their health rights, particularly during pregnancy. Program implementation is expected to end in 2020.

III. Jamaicans for Justice (JFJ): JFJ is a human rights advocacy group which began in 1999. It currently has a staff of ten and is the only CSO which provides legal services to persons seeking to protect their rights. Its work is funded by a variety of IDPs, including the EU, the United Nations Democracy Fund (UNDEF), the United Nations Children Fund (UNICEF), Amnesty International, Open Society Foundations, the Global Fund to End HIV/AIDS, Tuberculosis, and Malaria, and the American Friends of Jamaica.\(^\text{22}\) The Organization,

\(^{21}\) This was part of the University of Technology’s (UTECH) Fi Wi Jamaica program funded through USAID. The Program included activities such as town hall meetings, public awareness campaigns, and community theater productions on the issue of domestic and intimate partner violence, to raise the level of awareness of GBV across the island.

\(^{22}\) [https://www.jamaicansforjustice.org/about-us/donors-partners](https://www.jamaicansforjustice.org/about-us/donors-partners)
as part of its mandate to improve access to justice for vulnerable/excluded groups, supports
women who have experienced violence or threats of violence and wish to apply to the courts for
Protection Orders under the Domestic Violence Act, or to pursue other remedies under the law.
They report a growing demand for this service, and now handle referrals from other CSOs on this issue.
The Organization also conducts training sessions on gender awareness and GBV with the Jamaica
Constabulary Force (JCF), and with student recruits into the police force.

IV. Women’s Incorporated (Women’s Inc.): Women’s Inc., operating in Kingston and Montego Bay
provides counselling services and a crisis hotline to women and girls who experience violence in the
home. The Crisis Centre in Kingston also provides temporary emergency accommodations at the
shelter, mainly to serve women who experience extreme domestic violence. This shelter is sustained
with financial support from the GOJ. It is currently the only operational domestic violence center
in Jamaica. They also design and implement advocacy and awareness raising campaigns on broad themes such as women’s rights and legislative change, and specifically on GBV.

V. Break Free Exodus Movement: Founded in 2016 and is a series of events online and offline
for survivors of domestic violence, abuse, mental, emotional and physical trauma that women experience. The Break Free Exodus Movement group is a safe place for survivors, victims and successors of Domestic Violence, Abuse, Molestation or other mental, emotional and physical trauma that women experience to share, heal and create solutions for the improvement of women and their families globally. It offers referral services, counselling, financial workshops focusing on a survivor centered approach and building networks survivors supporting each other’s. This group is an extension of the global conferences, community workshops and other initiatives to raise funds to build and support transformational relief centers and safe houses worldwide. The Mentor Mom Program provides psychological tele-counselling to girls and women aged 16 to 25 who are experiencing intimate partner violence and abuse in the home. They are then assigned to a ‘mentor mom’ – a fellow survivor of violence who is trained to provide peer-to-peer psychosocial support in navigating abusive situations.

23 The U.S. Embassy funded and completed the refurbishment this shelter in 2016.
24 Sunday Gleaner, March 8, 2020 “No to Abuse: Yes to Families”
25 https://twitter.com/jamaicagleaner/status/1236752389929078785?lang=en
# APPENDIX 1 – AVAILABLE SERVICES

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<td><strong>Prevention</strong></td>
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<td>Schools</td>
<td>Development and delivery of appropriate curriculum to shift culture which foster GBV.</td>
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<tr>
<td>Bureau of Gender Affairs (BGA)</td>
<td>Public education and behaviour change campaigns to raise awareness of GBV and shift attitudes and behaviours. BGA is currently implementing the “No Excuse for abuse” campaign with funding from UN Women.</td>
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<tr>
<td>Churches/ Faith Based Organizations</td>
<td>Implementing Programs which raise awareness about GBV and can influence change in practices and attitudes.</td>
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<tr>
<td>Legislature</td>
<td>Develop laws that are a deterrent to perpetrators</td>
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<tr>
<td><strong>Protection</strong></td>
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<tr>
<td>Courts</td>
<td>Adjudicate on VAWG matters in the Parish and Supreme Courts. Family Courts issue Protection Orders as appropriate, and apply sanctions for violation of these orders.</td>
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<td>Police: including Centre for the Investigation of Sexual Offences and Child Abuse (CISOCA) and the Domestic Violence Intervention (ICARE) Centre</td>
<td>Police stations throughout the island receive and respond to reports of VAWG. There are however two specialised units which are specially trained to respond to reports of VAWG and make referrals to appropriate channels (e.g., counselling) for assistance. Police in these specialised units have been trained in the importance and enforcement of protection orders issued by the Courts. CISOCA operates seven units island-wide and has CISOCA investigators posted at different stations across the 19 divisions covering the island. CISOCA has offices in all the parishes with additional support from policewomen who have been specially trained and are assigned to Police divisions across the island. There are 2 ICARE centres, both in Kingston.</td>
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NGOs e.g. Jamaicans for Justice (JFJ), Women’s Inc, and Women’s Resource Outreach Centre (WROC).

NGOs support women in a variety of ways, including helping with applications for Protection Order, and provision of temporary shelter (Women’s Inc.).

Bureau of Gender Affairs

Emergency Counselling (via a hotline); Legal support

 Victim Support Division (VSD), Ministry of Justice

Operating in all 14 parishes, the VSD provide support for victims of GBV. This support includes:

— Ensuring that victims have means of recourse and redress;
— Providing mediation and other counseling needs;
— Ensuring that the victim is informed of his/her rights and the means through which justice may be attained;
— Promoting structural changes in the justice system that facilitates the needs and rights of victims

VSD helps to prepare survivors for their court appearance (where the matter is brought before the courts), and provides counselling throughout the process until resolution.

Prosecution

Office of the Director of Public Prosecution.

Prosecutes cases against perpetrators of VAWG (primarily physical and sexual assaults, including rape).

Police

Investigates and prepares cases for prosecution

Enforcement

Police

Investigates breaches of Protection Orders and bring violators before the court

Family Courts

Apply sanctions on violators of the law (esp. of the DVA)

Note: VSDs work is not limited to GBV but covers victims of all types of violence.
APPENDIX 2 – UN WOMEN: MEASURES AGAINST VIOLENCE AGAINST WOMEN (JAMAICA)\textsuperscript{27}

https://evaw-global-database.unwomen.org/en/countries/americas/jamaica

GLOSSARY

Gender
Roles that are determined socially, behaviours, activities, and attributes that a society considers appropriate for men and women. These roles are contextual and influenced by a society’s culture and traditions, as well as by prevailing religious beliefs.

Gender-Based Violence (GBV)
Any act of violence that results in, or the nature of which causes, physical, sexual, or psychological harm or suffering to someone because of his or her sex. This including threats through similar acts, coercion, or arbitrary deprivation of liberty, whether in public or private life (UN, 1993).

Sex
Refers to the biological and physiological characteristics which differentiate men and women.

Sexual Exploitation
Any real or attempted abuse of a position of vulnerability, power differential, or relationship of confidence for a sexual purpose, including, but not limited to, taking financial, social, or political advantage of another through sexual means.

Sexual Abuse
Real or threatened physical intrusion of a sexual nature, whether it be by force or under unequal or coercive conditions.

Sexual Harassment
Unwelcomed sexual advances, demand for sexual favors, or any other verbal or physical behavior of a sexual nature. In the workplace, submission to these advances or behaviors may made either implicitly or explicitly a condition of continued employment, promotion, or other decisions affecting a person’s employment.
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