
**Committee on the Elimination of
Discrimination against Women**

Exceptional session

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**Concluding comments of the Committee on the Elimination of
Discrimination against Women: Barbados**

Fourth periodic report

209. The Committee considered the fourth periodic report of Barbados (CEDAW/C/BAR/4) at its 579th meeting, on 13 August 2002 (CEDAW/C/SR.579).

(a) Introduction by State party

210. In introducing the fourth periodic report, the representative of Barbados indicated that ratification of the Convention by Barbados in 1980 was one of the steps forward in the process to ensure equality for women. Before signing the Convention, the Government had already established a mechanism on gender, namely a National Commission, which had been created in 1976 to inquire into and report on the status of women in the country. After the Commission's dissolution in 1978, its secretariat, the Bureau of Women's Affairs, had been mandated to monitor the implementation of its recommendations. With the establishment of the Bureau of Women's Affairs, Barbados had attempted to advance the equality of women not only through legal reform, but also policy intervention, and programmes had been developed focusing on vocational skills training and small-scale income-generating projects. Additionally, Barbados became a member of the International Labour Organization in 1967, which led to a focus on the protection of workers' rights, including the elimination of discrimination against women in the field of employment, and had consistently participated in and supported the outcomes of international summits and conferences on women.

211. The representative highlighted aspects of the Platform for Action adopted by the Fourth World Conference on Women in 1995 and indicated that Barbados had identified five areas of priority: institutional mechanisms; women in poverty; violence against women; women in decision-making; and women and health.

212. In 1999, the Ministry of Social Transformation had been established and included the national machinery, renamed the Bureau of Gender Affairs, which was tasked with mainstreaming the concept of gender into all policies, plans and programmes, monitoring that process and carrying out sensitivity training in the public and private sectors. A National Advisory Council on Gender had been created to assist the Bureau and advise the Government, and focal points had been identified in the public service who would form an Inter-ministerial Committee and ensure that programmes within their agencies and departments were gender focused. Non-governmental organizations, particularly women's organizations, were involved in advocacy, were often part of official delegations to regional and international conferences and had a good consultative relationship with the national machinery.

213. The representative indicated that women living in poverty were generally the principal, if not sole, breadwinners for the family and that 44.4 per cent of households in Barbados were headed by women. Under its social policy, the Government had introduced services and programmes to meet the needs of the most vulnerable in the society. They included welfare grants and childcare services; a poverty eradication fund had introduced measures to improve entrepreneurial activities; the "Relief 2000" initiative focused on the needs of recipients of social assistance in respect of employment, training, financial assistance and housing; and the "Welfare to work" programme sought to provide training and counselling for women on welfare.

214. Violence against women pervaded all levels of society and was basically the result of inequality in relations between men and women. Prior to the Fourth World Conference on Women, legislation against domestic violence had been enacted. The Domestic Violence (Protection Orders) Act and the Sexual Offences Act of 1992 sought to bring domestic violence to an end by protecting victims of domestic violence, changing public and private attitudes, which had failed to discourage domestic violence, and changing police attitudes so they intervened and treated complaints seriously. The Government was currently seeking to combat violence against women on two levels: the eradication of inequality between women and men; and the provision of services for victims and offenders. Activities to raise awareness and combat violence against women were handled mainly by non-governmental organizations, which had provided support services for victims and offenders, including temporary shelter, crisis hotlines, counselling and educational training. In 1999, the Government established a shelter to house battered women which was managed by a non-governmental organization. Counselling and referral for legal aid and other services were handled by the Welfare Department, and attempts were being made to develop programmes for perpetrators.

215. Women were active participants in the political process as supporters, campaigners and voters but continued to be relatively invisible or absent from the centres of power and decision-making, with four women members of Parliament out of a total of 28; six women senators out of a total of 21; one woman serving on the High Court, while 4 out of 10 magistrates were women; and 31 per cent women at the decision-making level of the public service, while women dominated the junior level of the service.

216. Health care was viewed as a fundamental right, and Barbados had recognized the need to move away from a narrow focus on women as mothers and to emphasize the provision of services that met a broader definition of women's reproductive health and took account of the differences in the health profiles of women and men. The representative highlighted a number of programmes, policies and initiatives in the area of health, including the family clinics, which offered Pap smears and educated women and their partners with a view to reducing the number of unplanned pregnancies. The Government recognized the need to investigate the effects of the work environment on women's health, and the Ministry of Health was committed to the provision of adequate and affordable measures for prevention and control of HIV/AIDS and for rendering care to its victims, while giving due consideration to the protection of fundamental human rights. The representative indicated that chronic non-communicable diseases continued to be the leading causes of morbidity and mortality among the population and obesity was a major risk factor, with surveys showing 30 per cent of women were obese and 58 per cent overweight.

217. The representative indicated that legal reform had been extensive and that a bill on sexual harassment was being considered. The Family Law Act was being reviewed to ensure maintenance of children, and other laws, such as the Domestic Violence Act, would be reviewed to assess their effectiveness.

218. In closing, the representative informed the Committee that, with the acceptance of the gender and development paradigm and the attempt to mainstream the concept of gender, it was believed that greater strides would be made towards removing unintentional discrimination against women, changing gender attitudes and establishing gender equality.

(b) Concluding comments of the Committee

Introduction

219. The Committee expresses appreciation to the State party for its fourth periodic report. It commends the State party for the written replies to the issues raised by the pre-session working group.

220. The Committee commends the State party for its delegation and expresses appreciation for the oral presentation, which provided additional information on the current situation of implementation of the Convention in Barbados.

Positive aspects

221. The Committee welcomes legislation that promotes and protects women's rights, such as the Domicile Reform Act, the Domestic Violence (Protection Orders) Act, the Change of Name Act and the Maintenance Act, which recognizes the same maintenance rights in family relations for couples who have lived together for five years or more as married spouses.

222. The Committee commends the State party for providing free education, cash grants, school uniforms and grant assistance for textbooks for those in need in order to facilitate school attendance and to ensure that children, in particular girl children, up to the age of 16 years receive an education. It notes with satisfaction the female literacy rate of approximately 97 per cent.

223. The Committee congratulates the State party on having achieved a maternal mortality rate of zero.

224. The Committee also commends the State party for viewing health care as a fundamental right and for providing a range of family health services in the polyclinic setting, including free ante- and post-natal care for all citizens and residents of the country. It also commends the State party for the services that target women and girls, for example the Maternal and Child Health Programme, which monitors progress throughout pregnancy.

Principal areas of concern and recommendations

225. The Committee is concerned that the Constitution, which recognizes women's right to equality before the law and guarantees the fundamental rights and freedoms of all individuals, does not prohibit discrimination on the grounds of sex, and that there is no legislative definition of "discrimination against women" reflecting article 1 of the Convention, which prohibits both direct and indirect discrimination. It is further concerned about the lack of information provided about procedures available to women to enforce their rights under the Convention, challenge discrimination and obtain redress.

226. The Committee recommends that the State party take steps to include in the Constitution and/or legislation a specific right of non-discrimination on the grounds of sex, defined in accordance with article 1 of the Convention. It calls on the State party to introduce procedures that will allow the enforcement of the prohibition on discrimination based on sex and to introduce effective measures, including public awareness-raising campaigns about the Convention, the Constitution and remedies to implement women's right to equality. The Committee requests that the State party report on progress made in this regard in its next periodic report and that it provide information on whether the Convention has been invoked before domestic courts.

227. The Committee notes the lack of information on whether the Office of the Ombudsman established to address public grievances has received and considered complaints of violations of women's rights.

228. The Committee requests the State party to include in its next periodic report information on the work and cases considered by the Office of the Ombudsman relating to discrimination against women. The Committee also recommends that the State party take measures to ensure that the Office of the Ombudsman incorporates a gender perspective in its work.

229. The Committee is concerned that the Bureau of Gender Affairs within the Ministry of Social Transformation, tasked with mainstreaming the concept of gender into all policies, plans and programmes of the Government, monitoring their implementation and carrying out sensitivity training in public and private agencies, does not have adequate human, financial and material resources. It notes that a National Advisory Committee on Gender Affairs has been created to assist the Bureau and advise the Government on trends and developments in gender issues, and that focal points have been appointed to form an inter-ministerial committee and ensure that programmes within their agencies and departments are gender-focused.

230. The Committee recommends that the State party ensure that the Bureau of Gender Affairs is provided with adequate human, financial and material resources to give it sustainability, visibility and effectiveness and to ensure continual effective implementation of governmental policies and programmes related to gender equality. It also encourages gender mainstreaming in all ministries.

231. While recognizing the existence of a range of services and programmes designed to eliminate discrimination against women, and the identification of five priority areas based on the Beijing Declaration and Platform for Action, the Committee is concerned that no overall national plan of action has been formulated. It is also concerned that the impact of existing measures and programmes has yet to be evaluated.

232. The Committee recommends that the State party formulate an integrated national plan of action to fully address the issue of discrimination against women in all its aspects. It also urges the State party to make an assessment of the measures already implemented with a view to further improvements.

233. The Committee remains concerned about entrenched stereotypical attitudes and behaviour, which tend to reinforce women's inferior status in all spheres of life, and regrets that the State party has not undertaken sustained programmes to

change these social and cultural attitudes and patterns of behaviour that lead to stereotyping.

234. The Committee calls upon the State party to strengthen measures aimed at changing stereotypical attitudes about the roles and responsibilities of women and men, including through sustained awareness-raising designed in collaboration with the media and women's non-governmental organizations and educational campaigns directed at both women and men. The Committee emphasizes that a policy of gender equality in compliance with the Convention will require the recognition that women can have various roles in society, not only the important role of mother and wife, exclusively responsible for children and the family, but also as an individual person and actor in the community and in the society in general.

235. The Committee is concerned at the limited information provided on trafficking in women and girls and their exploitation in prostitution in the State party's report. The Committee is concerned that there is no data on prostitution and that the issue is not being addressed.

236. The Committee recommends the introduction of policies to ensure the prosecution of, and strong penalties for, those who exploit prostitutes. In view of the growing emphasis on tourism in the State party, the Committee requests it to provide in its next report comprehensive information and data on the trafficking of women and girls and their exploitation in prostitution and the measures taken to prevent and combat these activities.

237. Despite the extensive work of NGOs and other and community organizations and the facilitating role played by the State party, the Committee expresses concern that violence against women, including domestic violence, remains a serious reality in Barbados. The Committee is concerned that the bulk of the statistical data on violence and abuse collected by the Probation Department, the Police and the Registration Department is not disaggregated by sex.

238. The Committee urges the State party to place a high priority on measures to address violence against women in the family and in society in accordance with the Committee's general recommendation 19. The Committee urges the State party to strengthen its activities and programmes to focus on sexual violence, sexual crimes, incest and prostitution, especially prostitution associated with tourism, and to provide comprehensive training for the judiciary, the police, medical personnel and other relevant groups on all forms of violence against women, including domestic violence. The Committee recommends that the State party devise a structure for systematic data collection on violence against women, including domestic violence, disaggregated by sex. It also calls on the State party to provide this data in its next periodic report.

239. While welcoming the recognition of marital rape as a sexual offence, the Committee notes with concern that, under the Sexual Offences Act, marital rape is recognized as a crime only after the issuance of a decree of divorce, a separation order or a separation agreement, or where the husband is subject to a non-molestation order.

240. The Committee urges the State party to consider defining marital rape to include circumstances of de facto separation, and to create awareness of the legal remedies so that offenders can be prosecuted and punished. The

Committee requests information on cases prosecuted under the Sexual Offences Act in the State party's next periodic report.

241. The Committee is concerned that, despite the fact that the State party has identified women's participation in decision-making as one of its five priorities and despite the high level of education of Barbadian women, little has been achieved in terms of women's representation in decision-making positions in the political sphere. In this context, the Committee expresses concern that the State party lacks a clear understanding of the application of temporary special measures, according to article 4, paragraph 1, of the Convention.

242. The Committee recommends the adoption of strategies to increase the number of women in decision-making positions, both in appointed and elected government bodies. The Committee recommends that the State party adopt temporary special measures in accordance with article 4, paragraph 1, of the Convention to increase women's representation. It also recommends that the State party organize special training programmes for women and to conduct, on a regular basis, awareness-raising campaigns in this regard. It recommends that the State party sensitize political parties and social partners about the importance of these measures.

243. The Committee notes the absence of statistical data on wages disaggregated by sex, the absence of statutory parental leave for fathers and the apparent lack of equal employment opportunity legislation.

244. The Committee recommends broad collection of data disaggregated by sex with regard to wages and urges the State party to include these in the next report. The Committee also recommends the adoption of an equal employment opportunity law and a legislative provision on parental leave for fathers.

245. While acknowledging the State party's social policy, which has introduced services and programmes, including the Poverty Eradication Fund, to boost entrepreneurial activities and increase self-employment and create more employment among women and youth, the Committee is concerned at the feminization of poverty and, in particular, that women head approximately 44.4 per cent of households.

246. The Committee recommends that the State party ensure that governmental policies to eradicate poverty are sustainable, incorporate a gender perspective and do not marginalize women.

247. While noting the State party's adolescent health programme, which covers a wide range of issues, including human sexuality and HIV/AIDS, and other policies and activities with respect to AIDS education and sensitization, the Committee is concerned that the number of women infected with HIV/AIDS has been increasing more rapidly than that of men.

248. The Committee urges the State party to address the gender dimensions of HIV/AIDS, including the power differential between women and men, which often prevents women from insisting on safe and responsible sex practices. It encourages the State party to strengthen its efforts to raise awareness and educate women and girls on ways of self-protection.

249. The Committee is concerned about the increasing number of teenage pregnancies and its consequences for girls' enjoyment of the rights guaranteed by the Convention, particularly in the spheres of education and health.

250. The Committee recommends that the State party increase efforts to include age-appropriate sex education in school curricula and to conduct awareness campaigns so as to prevent teenage pregnancy. The Committee requests the State party to include information on the impact of programmes to prevent teenage pregnancy in its next periodic report.

251. The Committee notes that the report does not address the Committee's concluding comments on the second and third periodic reports. It also notes the limited amount of sex-disaggregated data in several areas.

252. The Committee urges the State party to respond in its next periodic report to the outstanding issues that were brought up in the constructive dialogue and the specific issues raised in the present concluding comments. It also urges the State party to improve the collection and analysis of statistical data, disaggregated by gender and age, and to submit such data to the Committee in its next report.

253. The Committee encourages the State party to continue its procedures towards ratification of the Optional Protocol to the Convention and acceptance of the amendment to article 20, paragraph 1, of the Convention, relating to the Committee's meeting time.

254. Taking account of the gender dimensions of declarations, programmes and platforms for action adopted by relevant United Nations conferences, summits and special sessions (such as the special session of the General Assembly to review and appraise the implementation of the Programme of Action of the International Conference on Population and Development (the twenty-first special session), the special session on children (the twenty-seventh special session), the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance and the Second World Assembly on Ageing), the Committee requests the State party to include information on the implementation of aspects of these documents relating to relevant articles of the Convention in its next periodic report.

255. The Committee requests that the text of the present concluding comments be widely disseminated in Barbados so as to inform the public, in particular administrators, officials and politicians, of the measures taken to guarantee de jure and de facto equality between men and women and of the supplementary measures to be adopted in that area. The Committee also urges the State party to give broad publicity to the Convention, its Optional Protocol, the general recommendations of the Committee, the Beijing Declaration and Platform for Action, and the results of the twenty-third special session of the General Assembly, entitled "Women 2000: gender equality, development and peace for the twenty-first century", which was held in June 2000, particularly among women's associations and human rights organizations.