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Committee on the Elimination of  
Discrimination against Women  
Eleventh session  
20 - 30 January 1992  
Excerpted from: Supplement No. 38 (A/47/38)

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

Initial report

27. The Committee considered the initial report of Barbados (CEDAW/C/5/Add.64) at its 190th and 194th meetings, on 20 and 23 January 1992.

28. In introducing the report, the representative of Barbados stated that the commitment of the Government to the elimination of discrimination against women had been manifested by the unanimous adoption of a parliamentary resolution on the improvement of the status of women, the provision of a Charter for Women and the National Development Plan, the establishment of the National Commission on the Status of Women and the Bureau of Women's Affairs in 1976, the acceptance by Parliament of the National Commission's report, the ratification of the Convention on the Elimination of All Forms of Discrimination against Women and Convention No. 100 of the International Labour Organisation (ILO) concerning Equal Remuneration of Men and Women Workers for Work of Equal Value. Difficulties with regard to the preparation of the country report were related to obtaining statistical information disaggregated by sex and to the very few staff of the Women's Bureau.

29. The representative said that significant progress in regard to eliminating areas of recognized and recorded discrimination against women had been achieved by the systematic implementation of the national programme of action. In its effort to report on the status of women in the country, the National Commission on the Status of Women had presented 212 recommendations aimed at eliminating discrimination against women in all areas, of which 190 had been implemented within the period of the report. Following parliamentary acceptance of the National Commission's report, the Bureau of Women's Affairs

had disseminated the recommendations to the ministries and agencies and had held a national conference with governmental and non-governmental organizations and with private sector agencies to facilitate their implementation.

30. The representative pointed out that a non-militant approach to the elimination of discrimination had been the hallmark of the country's progress in that area. In implementing the National Plan of Action, it was necessary to recognize the social and cultural reality of Barbadian women. Many women welcomed the changes and breaking down of the social barriers to their development and contribution, others feared the consequences on family and working relationships. Women themselves and also men were already more comfortable with the social strides made by Barbadian women. The process of integration was facilitated by the active involvement of 44 women's organizations. The Bureau of Women's Affairs was holding leadership training seminars on political participation and consciousness raising. While outlining briefly the main points of the report, the representative mentioned additional action on violence against women since the reporting period. She concluded by enumerating the areas requiring ongoing action and support, such as strengthening of the Bureau, adjustment of some areas of legislation, improvement of the participation of women in the political and civil decision-making process, more support of women in the self-employment/entrepreneurial areas, strengthening of the data resource bases and amendments to the Constitution.

31. In general comments, members of the Committee expressed appreciation for the frank, concise, informative and well-structured report that adhered closely to the general guidelines as well as for the excellent presentation. It documented well the strong commitment of the Government and of non-governmental organizations to the advancement of women. The annexes to the report showed the Government's initiatives in informing women of their rights. Members were impressed by the implementation of the large number of recommendations by the National Commission on the Status of Women although there was still a lot that had to be done for the advancement of Barbadian women. For example, many experts observed that despite the high percentage of women voters, women were hardly represented in the Parliament or other higher political office. It would be difficult for women to promote themselves if they could not participate in the planning and development of the country. Some experts asked for the reasons for the high percentage of women heads of households and about their professions. They inquired about the relationship between tourism and prostitution and asked whether the big role that tourism played in the country was only a way of giving more women minor jobs or whether it also brought more women into management positions. The wish was expressed that future reports should contain more statistical data disaggregated by sex. They expressed concern that the reporting period was limited to the years 1982 to 1987 and felt that it should have contained more information on the current situation, especially on the topics on which the Government was currently focusing its attention.

32. With regard to articles 2 and 3, members requested more information on the recommendations that had been adopted by the National Commission on the Status of Women, on the exceptions that were anticipated by the Constitution and on the budget of the National Commission. They also inquired about the budget allocations for the Bureau of Women's Affairs and the relationship

between the Bureau and the Ombudsman. They wanted to know whether cases dealt with by the Ombudsman had been publicized. They asked about the results of the inquiry that was conducted by the Commission into the one-parent family, with special reference to women's roles therein. Other questions asked were whether the Convention could be referred to directly by the courts, whether the National Commission could propose draft laws, whether each woman could have access to the Legal Aid Scheme and whether that Scheme was free of charge.

33. On article 4, members asked whether the Bureau of Women's Affairs had discussed any possible affirmative actions and temporary special measures such as a quota system.

34. Under article 5, members requested further information on programmes for suppressing violence against women; on the types of violence that occurred and whether they included domestic violence; on the services that existed to help women victims of violence; and on related statistics. They wanted to know whether domestic violence constituted a criminal offence, and if so, what the sanctions were. They asked whether the programmes that had been introduced to modify social and cultural patterns of conduct had shown any result and whether analyses had been carried out on the reasons for the preponderance of women in certain professions. Another question asked was whether the Government was giving any assistance to women's organizations.

35. On article 6, members inquired about the extent of the problem of prostitution, they asked whether there was a discernible link between unemployment and prostitution, and felt that women between 15 and 24 years of age might not be drawn into prostitution if a functional programme existed for them. They asked whether prostitution constituted an offence or whether the conviction of the culprit was left to the arbitrary decision of a magistrate, whether only the prostitute was prosecuted or also the client and the pimp. They inquired whether prostitutes were protected by any special legal measures or whether rape and violence in connection with prostitution were covered by general legal provisions. Members wanted to know what type of preventive measures related to prostitution had been taken, what their results were and whether rehabilitation programmes existed. They asked whether the promotion of tourism had resulted in an increase in prostitution, and further information was requested about the connection between prostitution and the human immunodeficiency virus/acquired immune deficiency syndrome (HIV/AIDS).

36. Regarding article 7, concern was expressed at the low number of women in politics despite the Government's commitment to the advancement of women, despite a high percentage of women being literate and educated and despite a high percentage of women voters. Other questions asked were whether women did not want to get into leadership positions, why there were so many women's organizations, whether women's organizations were trying to make women aware of their political responsibility, whether political parties had sought to increase the number of women members and whether women themselves would not join efforts to present their candidacies and promote other women candidates. Members inquired about the reasons for the fluctuating voting pattern of women between 1966 and 1986, and asked whether the members of the Senate were elected or appointed. If appointed, why had the Government not appointed more women.

37. On article 8, members commented on the low representation of women in the diplomatic service. They asked whether any programmes were being carried out to encourage women to enter it and to reach the upper echelons.
38. Regarding article 9, members welcomed the Government's intention to revise the discriminatory nationality law.
39. Regarding article 10, members were impressed by the low rate of illiteracy. They requested statistics on the percentage of enrolment in secondary and tertiary education broken down by sex. They asked which percentage of public schools followed a coeducational system, why the percentage of girls who studied commerce was so high and whether there were plans to include sex education and family planning in school curricula.
40. On article 11, questions were asked about the economic situation of the many female-headed households and the availability of government welfare programmes. Members inquired whether there was a legal provision regarding equal pay for work of equal value. They wanted more information on the Legal Aid Scheme. It was not clear whether it corresponded to the institution of ombudsman or to availability of legal assistance. Appreciation was expressed at the inclusion of agricultural work into the gross domestic product. Members asked whether there was a set annual rate of contribution to the pension scheme, and what share was paid by the employers and what share by the employees. In case of dismissal on the grounds of pregnancy, the question was asked whether women who were given redress could take up their former occupation or whether they received only financial compensation. Also, they asked whether laws prohibited employment discrimination against pregnant applicants for jobs. Members inquired whether the maternity leave of 12 weeks was granted at full pay. One member welcomed the frank assessment in the report that it was difficult to provide for nursing facilities for breast-feeding mothers at the workplace. Several members commented on the over-protective character of measures regarding the safety and health of women at the workplace and asked whether night-work for women was forbidden. They also wanted to know whether there were plans to offer a tax discount to single women heads-of-households.
41. On article 12, clarification was sought about the legality of abortion and as to whether the problem of clandestine abortion had been eliminated. The question was asked whether information on family-planning services and contraceptives was available to teenagers and adolescents, whether they were free of charge and whether women had access to family-planning advice without the husband's consent. Questions were asked about the female mortality rate and the reasons for mortality.
42. On article 13, members expressed concern at the provision according to which normally only the husband had access to children's allowances.
43. Concerning article 14, clarification was sought as to whether rural or urban women were involved in agriculture and whether there was any distinction regarding school education for rural women.

44. Under article 16, questions were asked on whether specific legislation empowered the courts with respect to property rights in common-law relationships, why so many couples lived in common-law relationships, whether a man could simultaneously enter into a legal marital union and a common-law union, thus having two wives, through which procedure could a child born out of wedlock be legitimized, which family name children born out of wedlock were given and what the situation was regarding family names of the spouses and the children within a legal marital union. Members inquired whether the dowry system existed. They questioned whether it was realistic that the law foresaw only one ground for divorce, whether there were female judges and whether judges tried to reconcile the parties in a divorce. Other questions concerned the definition of the breaking down of a marriage, whether it had to be on moral, economic or emotional grounds, and whether the judge could decide on the continuation of maintenance of children beyond the age of 18 years.

45. In replying to the questions raised, the representative of the Government mentioned that some of the misunderstanding of the situation in the country stemmed from cultural, historical and political differences. It was also stated, in response to specific questions, that Barbados had a bicameral system. The members of the House of Assembly were elected, while the members of the Senate were appointed. The representative stated that many women, as much as men, avoided participation in active politics. Regarding subsequent questions under article 16 concerning the high percentage of women-headed households, the representative said that that percentage was related partly to common-law relationships and partly to divorce cases. Theoretically it was possible for a man to have a wife married to him and a common-law spouse. But the smallness of the country and the active "quakevine" tended to preclude such a practice. Previously, children born out of wedlock had to assume their mother's name; currently they could also take their father's name. Professional women sometimes kept their maiden name.

46. The representative of Barbados, having noted the concern expressed by members of the Committee over the protective legislation in favour of women, said that so far there had been no complaints in that area. She noted that although men might wish to have both a wife and a common-law relationship, bigamy was a criminal offence. For the section on tourism, she explained that almost an equal proportion of men and women were employed in the tourist industry; women were actively involved in the service, accommodation and promotional areas; the director of the Board of Tourism was a woman; and women were also managers of a large proportion of hotels and guest houses.

47. Turning to questions raised under articles 2 and 3, the representative said that attempts were being made to change the provision of section 23 of the Constitution, which dealt with protection from discrimination, however without specifying sex. Referring to other questions, she said that the Convention was not considered to be directly part of national law and could, therefore, not be directly referred to by the courts. The office of the Ombudsman had been set up to deal with complaints surrounding the public service, which were referred to it through recognized procedures, and it published an annual report on its work. Women could make use of the courts whenever their rights were infringed. The National Commission, which had been established in 1976, had completed its task in 1978 and had been replaced by the National Advisory Council of Women. She circulated to the members of the

Committee a document containing the 212 recommendations of the National Commission, which had been prepared for the Bureau of Women's Affairs for the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women: Equality, Development and Peace, held at Nairobi in 1985. Those recommendations had all been accepted and acted upon by the Government, and they constituted the basis for the National Plan of Action. Since 1970, there had been a Ministry for Women's Affairs, of which the Bureau of Women's Affairs formed a part. The Bureau, and several women's organizations as well, provided legal aid for women.

48. In replying to questions raised in connection with the large number of households headed by single women, she explained that they might be the result of a divorce, of a visiting relationship where the father bore the responsibility for the maintenance of the children or of a union in which the father had abdicated his family responsibilities. She also said that historically the legacy of slavery had discouraged permanent family unions and marriage. In cases of divorce, reciprocal maintenance obligations existed for the spouse and the children, whereas in the case of visiting relationships women were mostly working outside the home and were assisted by the father and, if not, support could be enforced through the courts or obtained from the Welfare Services.

49. Regarding the issue of violence against women, as referred to in questions under article 5, she said that there was domestic violence and violence related to several offences committed against women and children of either sex. Any kind of violence was a criminal offence and the perpetrator was put under criminal law sanctions. Also, the assaulted victim could sue the perpetrator in a civil lawsuit. The proposed legislation dealing with domestic violence, harassment and sexual offences had been recommended by the National Commission and was currently in the final stages of debate in Parliament. It allowed for counselling of the victim, the perpetrator and family members, and for protective measures. She mentioned shelters for battered women, a telephone hotline crisis service and a mass-media programme, and said that efforts were being made to collect gender-based statistics on violence.

50. On article 6, neither the Board of Tourism nor a university study of the phenomenon had concluded that there was a linkage between tourism and prostitution. Although she admitted that prostitution existed in Barbados, she said that it had not reached the proportions of "sex tourism". The Government and several agencies provided skills training for young women, thus providing employment prospects for them in order to prevent them from being drawn into prostitution. The conviction of a person under the Vagrancy Act was not left to the arbitrary decision of a magistrate, it was done following normal court procedures based on evidence as any other court case. Trafficking in women was not currently evident in the country, and the immigration department closely controlled any entries. Seminars were being held for preventing drug abuse by young people, and rehabilitation for drug offenders was available through the hospital services.

51. Turning to article 7, the representative said that women were indeed actively involved in politics and decision-making. They used their force and were politically very much aware; they canvassed and campaigned. The two main

reasons for the low representation of women in Parliament were women's fear of the disruption of family life by holding public office and the rigorous nature of political campaigning. For those reasons, women hesitated to offer themselves as candidates for elections, and a quota system would not make any changes in the short term. She said that the Committee's pertinent observations on the low number of women in public office would be brought to the attention of the appropriate authorities. She added, however, that the head of State was a woman. Regarding the query concerning the high number of women's organizations, women chose the organizations to which they wanted to be affiliated. They identified issues of national concern and often initiated action. The Government provided subventions to women's organizations, which promoted the cause of women, and supported a programme for furthering young women's careers. The umbrella body was the National Organization of Women, through which policy matters could be channelled for the attention of the Government.

52. On article 9, the representative reported that women's organizations and the Government were currently reviewing the law concerning citizenship.

53. Referring to article 10, she said that all schools, with the exception of three public secondary schools, were coeducational. Students selected the subjects they wished to pursue, and family life education was a regular feature in secondary schools and youth organizations.

54. On article 11, it was reported that by law there was equal pay for work of equal value; however, in practice that law was not strictly observed, as in other countries. She explained the four different pension schemes and said that the court decision in case of unfair dismissal on grounds of pregnancy might result in compensation or in reinstatement. She was unaware of complaints from pregnant applicants for jobs. During the 12-weeks maternity leave the employee received a full salary. The legislation concerning protective measures regarding safety and health at the workplace applied equally to women and men. All women in case of need could resort to the Legal Aid Scheme, which had been established by the Government and was supplemented by a legal aid project for women funded by the Inter-American Commission of Women of the Organization of American States. Legal aid was free of charge for applicants unable to meet the cost.

55. Referring to article 12, she stated that termination of pregnancy was permitted by law in special circumstances prior to, and up to a duration of, 12 weeks. Seminars were being held to educate young people, and contraceptive information and facilities were readily available. She also said that the HIV/AIDS scare and public information seemed to have led to a reduction in teenage pregnancies. Figures on the female mortality rate, which was very low, would be provided in subsequent reports.

56. Turning to article 13, it was reported that low-income persons were exempted from income tax. The provision according to which only the husband had access to children's allowances referred only to the filing of income tax returns and not to actual maintenance.

57. Under article 14, the representative stated that both rural and urban women were involved in agriculture; women could also own and operate their own farms and agricultural enterprises. Rural and urban children had equal access to school education.

58. On article 16, it was reported that the Family Law Act of 1981 recognized a common-law relationship to the extent that, on separation, the parties had an enforceable right to maintenance and property distribution. Children born out of wedlock were regarded as the children of both parents and had the same rights as children born within a marital union. The dowry system had never existed in Barbados. Divorce was based on an irretrievable breakdown of the marriage evidenced by a 12 months' separation. The Government provided counselling and reconciliation services. Support for children was normally offered up to the age of 18, but might continue depending on specific circumstances.

59. Members expressed their gratitude to the representative for having answered the questions. However, considering that Barbadian women scarcely participated in political life and there was no quota system to provide incentives, some members observed that women were generally utilized in political campaigns and that something had to be done to remedy that situation. The representative commented that the participation of women in political life was a recent phenomenon. As women were hesitant to go into active politics, it would take some time to see significant changes in that respect. However, the strategies adopted by the Bureau of Women's Affairs and the consciousness-raising seminars were showing positive results, which would be reflected in the subsequent periodic report.

60. Regarding a comment made on whether development aid reached women and women's organizations, the representative explained that women could have direct access to such aid through their organizations, provided that their project proposals were in harmony with the national development aid programme.

61. With respect to a comment made with regard to battering and rape, she said that not only the female victim could claim protection, but also a third party on behalf of the victim.

62. Members had asked for more information on the situation of female-headed households, but she said that it was certainly difficult for outsiders to understand that situation in the Caribbean. For centuries women had had to handle that burden as a legacy of slavery, and they did it very well. The extended family was an essential family-support mechanism. As, owing to current developments, that support was fading away, the Government was trying to ensure regular day-care facilities, which should correspond to a set standard. She emphasized that the single female heads-of-household were not disadvantaged. For instance, recent information showed that about 60 per cent of all mortgages were granted to women. She also mentioned a certain magazine that highlighted on a continual basis the different roles played by women in society.

63. Referring to a request for clarifying the steps to be taken and the fields in which efforts should be concentrated to further improve the status



of women in Barbados, the representative enumerated a number of areas in which assistance would be needed. The first one was to try to absorb the shock of the current structural adjustment situation, which would have negative effects, especially on female-headed households. Others were the problem of violence against women; the additional resources needed for carrying on the leadership-training programmes for facilitating entry into political life for women; and the strengthening of the Bureau of Women's Affairs, which had scarce financial and human resources. The Bureau also needed assistance for collecting and reorganizing statistical data and for doing research, especially as it was currently drawing on the university's support in that respect. Furthermore, help was requested from women's organizations to guide women and to motivate them to take strong action and to get more involved in political activities.

64. In concluding observations, the Committee expressed its appreciation for the content, the structure and the frankness of the report and its illustrative annexes. It demonstrated clearly the Government's political will to eliminate the obstacles to the advancement of women. The activities of non-governmental organizations to further the status of women had been noted. Considering the high percentage of women voters and the low participation of women in political life, members were satisfied to see that the Government was conscious of the problems. All the points raised had been clarified by the representative and the steps taken by the Bureau of Women's Affairs were specially welcomed. Members noted that the government offices were of the view that prostitution in Barbados did not lead to sex tourism. They also noted that the high percentage of female single heads-of-household was due to historical reasons, but that none the less the Government was going to assist those women, especially in relation to economic adjustment problems. They pointed out that the main fields of work of the Bureau required international assistance and hoped that foreign agencies and international organizations would help Barbadian women to overcome the economic crisis and assist the country in research on the effect of structural adjustment on women's lives. It would be gratifying if the international community could thus benefit from the findings. Special praise was given to the Head of State.