



Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women

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**Consideration of reports submitted by States parties under
article 18 of the Convention on the Elimination of All Forms
of Discrimination against Women**

List of issues and questions in relation to the combined fourth to eighth periodic reports of Saint Vincent and the Grenadines

Constitutional, legislative and institutional framework

1. It is indicated that, even though article 13 of the Constitution prohibits discrimination of all forms, it fails to capture the specific nature and wide range of the discrimination and violations suffered by women, as well as to provide adequate protection, in line with articles 1 and 2 of the Convention. It is also indicated that a bill on a new draft constitution that included provisions prohibiting discrimination on the basis of sex and contained specific provisions on equality for women and men (art. 21 (1)), was rejected in a public referendum held in 2010 (p. 14).¹ Please indicate whether the State party envisages reintroducing the bill and, if it does, the time frame for doing so and any further amendments envisaged to ensure compliance with the definition of discrimination as set out in articles 1 and 2 of the Convention, guaranteeing the elimination of direct and indirect discrimination by both public and private actors. Please also provide information on any measures taken or envisaged to remove discriminatory provisions and thereby establish legal protection of the rights of women on an equal basis with men.

2. According to information received by the Committee, same-sex relations are criminalized under the national legislation. Please indicate whether any steps are envisaged to decriminalize such relations and recognize the right of lesbian, bisexual and transgender women and intersex persons to equality and non-discrimination.

* CEDAW/C/61/1.

¹ Unless otherwise indicated, page numbers refer to the combined fourth to eighth periodic reports of Saint Vincent and the Grenadines (CEDAW/C/VCT/4-8).



National machinery for the advancement of women

3. It is indicated that the Gender Affairs Division (formerly known as the Department of Women's Affairs) has been reoriented, targeting gender mainstreaming and gender policy development in all government departments (p. 20). Please provide information on the institutional status of the Division in the government architecture, on measures in place to facilitate a coordinated, multisectoral gender mainstreaming strategy and on the human and financial resources allocated to support action aimed at promoting gender equality and women's empowerment.

4. It is also indicated that support is provided in several key areas to the Gender Affairs Division by the National Council of Women, a non-governmental umbrella body representing various women's organizations, and that the Government provides a yearly grant to that body. Please indicate the extent to which the mandates, responsibilities and relationships between the two entities are clearly delineated.

Stereotypes and harmful practices

5. It is indicated that obstacles to be overcome in relation to discrimination against women relate mainly to prevailing social attitudes (p. 15). It is also indicated that mothers raise sons to be free to move within society, while girls lack similar freedoms and are expected to stay at home to assist with domestic chores and act with propriety (p. 30). Please indicate what measures have been taken or are envisaged to modify those social and cultural patterns of conduct reproduced through such socialization by parents, teachers and significant others.

Violence against women

6. According to information received by the Committee, a national gender-based violence action plan was developed in 2013 and is aimed at eliminating gender inequalities and attitudes that support gender-based violence, empowering women and children, eliminating all forms of gender-based violence through the adoption of a zero-tolerance approach, addressing men's responsibility for reducing and eliminating gender-based violence and improving mechanisms for measuring gender-based violence. It is, however, still at the draft stage and has not yet been presented to the Cabinet. Please indicate whether a time frame has been set for the adoption of the action plan and whether sufficient human and financial resources are envisaged for its effective implementation. Moreover, it is stated that one of the major gaps is the lack of statistics on domestic violence (p. 19). Please provide information on efforts made to systematize and institutionalize the collection, analysis and dissemination of comprehensive data on domestic violence, disaggregated by age, sex, nationality, ethnic group and type of violence. Please also indicate whether any steps have been taken to establish appropriate indicators that would facilitate the monitoring and evaluation of the implementation of related laws and policies.

7. It is indicated that, in 1995, the State party adopted the Domestic Violence (Summary Proceedings) Act, which recognizes the right of both married and unmarried women and men to legal protection and redress for domestic violence. The State party also mentions that the existence of a family court that has jurisdiction to enforce the protection outlined in the Act (p. 18). According to

information received by the Committee, the Act falls under civil law and therefore fails to criminalize such practices, does not provide for a comprehensive definition of domestic violence, given that it does not include sexual violence, stalking or psychological harm, and does not apply to all women. Please indicate whether any steps are being taken to review the Act and broaden the scope of the definition of domestic violence to comprise acts of sexual and psychological violence within marriage and de facto unions. Please also indicate whether any measures have been taken or are envisaged to incorporate domestic violence into the Criminal Code.

8. Information received by the Committee indicates that, while sexual harassment is almost a daily occurrence, the law does not specifically prohibit it. Please provide information on any steps taken to explicitly outlaw and criminalize sexual harassment in all settings.

9. According to information received by the Committee, the definition of rape in the Criminal Code is narrow and fails to include other types of grievous and invasive acts, such as penetration with an object or body parts other than a penis. Currently, such acts are classed as indecent assault and carry a lesser penalty (a term of imprisonment of up to five years if committed against a person under 15 years of age and up to two years if committed against a person aged 15 years or over). Please provide information on measures taken to widen the definition of rape to include any non-consensual sexual acts. Please also provide information on the inclusion of marital rape in criminal law.

10. It is indicated that, although training has been provided to police officers, the enforcement of protection or occupation orders issued by the Family Court under the Domestic Violence (Summary Proceedings) Act is weak (p. 29). Please provide information on additional measures adopted to enhance the enforcement of protection or occupation orders. Please also provide information on measures taken to protect victims from reprisals by perpetrators.

11. Please provide further information on the implementation of immediate protection measures for victims of violence, such as the provision of shelters and 24-hour hotlines, to respond to women and children who are victims of violence in a timely manner without the prerequisite of a protection order issued by the Family Court.

Trafficking

12. Alternative sources indicate that the country remains a source, transit and destination country for trafficking in women and children. Please indicate the measures taken to prevent trafficking and forced prostitution and to provide protection, assistance and legal support to victims, in addition to the number of persons who have benefited from such measures. Please also provide updated data on the number of complaints, investigations, prosecutions, convictions and sanctions imposed on perpetrators under the Prevention of Trafficking in Persons Act (2011). Please indicate whether any plans are contemplated to establish regional cooperation with States members of the Organisation of Eastern Caribbean States for data collection and analysis, protection-sensitive entry systems, reception arrangements, mechanisms for referrals and long-term solutions.

Participation in political and public life

13. According to information received by the Committee, women continue to be underrepresented in appointed and elected political decision-making positions. Please provide information on the steps taken to increase the number of women in elected and appointed decision-making bodies and to achieve equal representation of women in political and public life, including through the adoption of temporary special measures, in accordance with article 4 (1) of the Convention and the Committee's general recommendation No. 25 on temporary special measures. Please provide, in particular, information on measures taken or envisaged to introduce a system of quotas that would aim at reaching a minimum of 30 per cent of women in the House of Assembly and to support women standing for election by developing targeted training and mentoring programmes on leadership and negotiation skills.

Nationality

14. Please indicate whether discriminatory provisions with regard to the transmission of nationality to spouses have been or are planned to be removed. Please also indicate what measures the State party intends to take to remove the discriminatory requirement that obliges a mother to obtain the signature of the father on the passport application of a child, even though the father has not been part of the mother's life for years, a requirement that does not apply to fathers in similar circumstances (p. 35).

Education

15. It is acknowledged that girls continue to drop out of secondary education upon becoming pregnant. The State party mentions that the Gender Affairs Division has collaborated with the Ministry of Education to put in place opportunities for pregnant adolescents to continue their education and enjoy non-discriminatory access to education. Moreover, it is indicated that the Government finances the return of adolescent parents to school by paying fees, purchasing books and providing transportation and day-care services for their children (p. 25). Please provide information on the number of adolescent pregnant girls who have benefited from those initiatives. Please also provide information on measures taken to prevent unwanted adolescent pregnancy.

Employment

16. It is indicated that the State party adopted legislative measures that prohibit discrimination against women in the workplace. The Protection of Employment Act (2004), the Equal Pay Act (1994), the Wages Council Act and the National Insurance Services Act provide for equal remuneration of women and men for work of equal value, prohibit the termination of employment on the grounds of marital status, sex and pregnancy and provide for maternity leave for some classes of workers (p. 17). Please indicate which national entities are responsible for the implementation, coordination and monitoring of the enforcement of the laws, in addition to the human and financial resources allocated for their effective implementation. Please also provide updated figures on the distribution of the employed population by sex, in order to assess whether the laws have been effectively implemented. Please provide updated data on wages of male and female workers in order to evaluate the gender wage gap in the various economic sectors.

Health

17. It is stated that the Family Planning Unit within the Ministry of Health conducted camps for adolescents in order to address such issues as responsible parenting, adolescent pregnancy and sexually transmitted diseases. Similar initiatives were also implemented by the Gender Affairs Division (p. 31). Please provide information on the availability and accessibility of comprehensive and age-appropriate education on sexual and reproductive health and rights, as well as of family planning services, especially for adolescents. Please also indicate whether measures have been taken to disseminate information on contraceptive methods, including emergency contraceptives.

18. According to information received by the Committee, many clandestine abortions occur every year. The high cost of and legal restrictions on the medical procedure render it unavailable for most women. In paragraph 140 of its previous concluding observations, the Committee expressed its concern about the need for spousal consent for tubal ligation and on the existence of a law that precludes safe abortion. Please provide information on the conditions under which legal abortion is available and on any implementing regulations that have been adopted. Please also indicate the measures taken or envisaged to remove barriers to legal and safe abortion and to abolish the requirement of spousal consent for tubal ligation. Please provide information on the incidence of unsafe abortion and its impact on women's health, including maternal mortality, and indicate whether the State party envisages removing the harsh and punitive legislative provisions imposed on women who undergo abortion, in line with the Committee's general recommendation No. 24 on women and health.

Disadvantaged groups of women

19. It is indicated that the adverse situation affecting the banana industry has in turn negatively affected rural women because they represent the majority of banana farm workers (p. 53). To mitigate the dire situation of rural women, the Government implemented microcredit schemes and funded the National Development Foundation, a non-governmental organization that provides advice and technical assistance to rural women. Please provide further information on the programmes and indicate the number of rural women who have benefited from them. Please indicate whether an impact assessment has been conducted, and if it has, provide information on the results achieved.

20. Information from alternative sources indicates that women in rural areas and women from minority or indigenous groups face difficulties in gaining access to education and health services and are thus more vulnerable to poverty and social exclusion. Please provide information on measures taken to facilitate and enhance access to childcare facilities, health-care services and transportation services for rural women. Please indicate whether measures have been taken to design a national policy that would primarily target rural and indigenous women in order to meet their specific needs in terms of equal access to social services and economic opportunities.

Marriage and family relations

21. It is indicated that efforts to change social and cultural patterns that lead to discriminatory attitudes towards women, especially those in de facto unions (unions

other than marriage), included the adoption of legislation that guarantees the right to property for children born out of such unions (p. 27). The State party acknowledges, however, that women in such unions continue to be disadvantaged before the law, given that they do not enjoy the right to property acquired during the union or financial support from their partners (p. 28). Please provide updated information on any legislative measures adopted since the submission of the report to guarantee the protection of women in de facto unions (unions other than marriage).

Optional Protocol and amendment to article 20 (1) of the Convention

22. Please indicate what progress has been made towards the ratification of the Optional Protocol to the Convention and the acceptance of the amendment to article 20 (1) of the Convention concerning the meeting time of the Committee.
