



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS

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Excellency,

In my capacity as Rapporteur for Follow-up on Concluding Observations of the Committee on the Elimination of Discrimination against Women (CEDAW), I have the honour to refer to the examination of the combined initial to fourth and fifth periodic reports of the Bahamas at the Committee's fifty-second session, held in July 2012. At the end of that session, the Committee's concluding observations were transmitted to your Permanent Mission (CEDAW/C/BHS/CO/1-5). You may recall that in the concluding observations, the Committee requested the Bahamas to provide, within two years, written information on the steps undertaken to implement the recommendations contained in paragraph 20 and in paragraph 24 of the concluding observations.

The Committee welcomes the follow-up report received on time in July 2014 (CEDAW/C/BHS/CO/1-5/Add.1) under the CEDAW follow-up procedure. At its sixtieth session, held in February-March 2015 in Geneva, the Committee examined this follow-up report and adopted the following assessment.

Regarding the recommendation made in **paragraph 20** of the concluding observations that the State party “use temporary special measures, in accordance with article 4 (1), of the Convention, as interpreted in the Committee's general recommendation No. 25, in all areas covered by the Convention where women are underrepresented or disadvantaged, including women in situations of poverty, migrant women and women with disabilities, and set time-bound targets and allocate sufficient resources for the implementation of temporary special measures in various forms, such as outreach and support programmes, quotas and other proactive and results oriented measures aimed at achieving substantive equality of women and men in all areas, and encourage the use of such measures both in the public and private sectors”: The State party mentioned a series of activities that have recently been held to promote increased participation of women in the field of political leadership. Furthermore, the State party indicated that the Bureau of Women's Affairs will implement, in partnership with other stakeholders, temporary special measures between August 2014 and August 2015 with a view to achieving substantive equality of women and men in the political area. The Committee welcomes the temporary special measures slated to encourage women's political leadership. However, it considers that the State party failed to set up temporary special measures in all areas covered by the Convention where women, including women in situations of poverty, migrant women and women with disabilities, are underrepresented or disadvantaged, both in the public and private sectors. Moreover, the Committee considers that the State party failed to provide information on time-bound targets and resource allocation for the implementation of the general measures taken in the political field. It considers that the recommendation **has not been implemented**.

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Regarding the recommendation that the State party “Raise awareness among members of Parliament, government officials, employers and the general public about the necessity of temporary special measures”: The State party mentioned that the Bureau of women’s Affairs will, among other measures intended to foster women’s political leadership, incite women in political parties to advocate for more women to be nominated as candidates, lobby women’s groups and women in general to vote for women in the next General Election, encourage women entrepreneurs to support female candidates, and involve men in promoting temporary special measures for women in political leadership and educating them on gender equality. The Committee notes as positive the measures foreseen to promote women’s political leadership. However, it considers that the State party failed to provide information on awareness-raising activities targeting members of Parliament, government officials, employers and the general public about the necessity of temporary special measures in all areas covered by the Convention. The Committee considers that the recommendation **has not been implemented**.

The Committee recommends that, in relation to paragraph 20 of the concluding observations, the State party provide, **in its next periodic report**, information on further actions taken to:

- 1) Use temporary special measures, in accordance with article 4 (1), of the Convention, as interpreted in the Committee’s general recommendation No. 25, in all areas covered by the Convention where women are underrepresented or disadvantaged, including women in situations of poverty, migrant women and women with disabilities;
- 2) Set time-bound targets and allocate sufficient resources for the implementation of temporary special measures in various forms, such as outreach and support programmes, quotas and other proactive and results-oriented measures aimed at achieving substantive equality of women and men in all areas, and encourage the use of such measures both in the public and private sectors; and
- 3) Raise awareness among members of Parliament, government officials, employers and the general public about the necessity of temporary special measures and provide comprehensive information on the use of such measures and their impact.

Regarding the recommendation made in **paragraph 24** of the concluding observations that the State party “consider adopting a comprehensive law addressing violence against women”: The State party indicated that the adoption of a comprehensive gender-based violence law that would incorporate all forms of violence against women, including intimate partner sexual violence, sexual assault, and sexual harassment, has been recommended by a multi-sectoral Task Force established in July 2013 to address the issue of gender-based violence. The Committee considers that the State party took significant steps towards the adoption of a comprehensive law addressing violence against women. The Committee considers that, for the period under consideration, the recommendation **has been implemented**.

Regarding the recommendation that the State party “promptly raise awareness among the population on the criminal nature of marital rape and amend the Sexual Offences and Domestic Violence Act 1991 to criminalize marital rape”: The State party mentioned a series of initiatives aimed at raising awareness of community groups on the issue of domestic violence, such as the “Domestic Violence is Everybody’s Business” campaign of the Ministry of Social Services & Community Development, the short film “Full Circle”, or the docu-drama “Get Out”. The Committee considers that the State party failed to take any steps to raise awareness among the population on the criminal nature of marital rape and to amend the Sexual Offences and Domestic Violence Act 1991 to criminalize marital rape. The Committee considers that the recommendation **has not been implemented**.

Regarding the recommendation that the State party “adopt a comprehensive plan that addresses all forms of violence against women and girls and a strategy for its implementation”: The State party mentioned that the Task Force on Gender-Based Violence, which was appointed in July 2013, is currently developing a strategic plan to address the issue in all its forms. The State party indicated that an implementation strategy as well as a multi-sectoral monitoring mechanism will be established once the plan is adopted. The Committee considers that the State party took some steps towards the adoption of a comprehensive plan that addresses all forms of violence against women. It considers that the recommendation **has been partially implemented**.

Regarding the recommendation that the State party “take necessary measures to ensure speedy access to justice for women victims of all forms of gender-based violence”: The State party mentioned that the Office of the Attorney General has implemented a “Swift Justice” initiative to address the back log of cases and facilitate speedier access to justice for victims. Moreover, a specific Sexual Offences Unit has been established within the Department of Public Prosecutions and a case management process has been implemented to ensure that these cases are addressed effectively. In addition, the Voluntary Bill of Indictment has now replaced the preliminary inquiry process, eliminating the need for a rape victim to undergo the stress of two trials. The Committee welcomes the steps taken by the State party to ensure speedy access to justice for women victims of sexual offences. However, it considers that these measures do not cover all forms of gender-based violence. The committee considers that the recommendation **has been partially implemented**.

Regarding the recommendation that the State party “provide adequate assistance and protection to women victims of violence, in particular psychosocial rehabilitation and an adequate number of shelter facilities, including in the Family Islands, specializing in the protection of victims of domestic violence and accepting women with their children”: The State party indicated that the Government, in its 2014-2015 budget, has allocated substantial funding for a shelter that will accommodate women victims of violence with boys over 10 years. Moreover, the Ministry of Social Services and Community Development has relaunched its Domestic Violence Unit in the Family Services Division, which is expected to play a significant role in increasing access to psychosocial rehabilitation for victims of domestic violence. The Committee welcomes the re-establishment of the Domestic Violence Unit. However, it considers that additional shelter facilities, including in the Family Islands, are required to provide adequate protection space to women victims of violence and their children. The committee considers that the recommendation **has been partially implemented**.

Regarding the recommendation that the State party “collect comprehensive statistical data on violence against women, disaggregated by sex, age and relationship between the victim and perpetrators, including data on the number of complaints, prosecutions and convictions, and on the sentences imposed on perpetrators of sexual and gender-based violence”: The State party indicated that base line data have been compiled on the number of complaints, convictions and sentences imposed on perpetrators of sexual and gender-based violence in the framework of the project “Strengthening State Accountability and Community Action for ending Gender Based Violence”. Furthermore, the State party mentioned that the Gender Based Violence Task Force recommended the establishment of an observatory which will enable the collection of comprehensive disaggregated data on the issue. The Committee considers that the State party took significant steps towards the implementation of the recommendation. It considers that, for the period under consideration, the recommendation **has been implemented**.

The Committee recommends that, in relation to paragraph 24 of the concluding observations, the State party provide, **in its next periodic report**, information on further actions taken to:

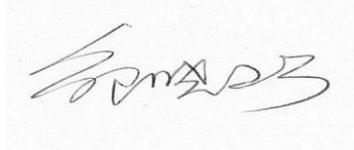
- 1) Expedite the adoption of a comprehensive law addressing violence against women;

- 2) Raise awareness among the population on the criminal nature of marital rape and amend the Sexual Offences and Domestic Violence Act 1991 to criminalize marital rape;
- 3) Expedite the adoption of a comprehensive plan that addresses all forms of violence against women and girls and a strategy for its implementation;
- 4) Ensure speedy access to justice for women victims of all forms of gender-based violence;
- 5) Provide adequate assistance and protection to women victims of violence, in particular psychosocial rehabilitation and an adequate number of shelter facilities, including in the Family Islands, specializing in the protection of victims of domestic violence and accepting women with their children; and
- 6) Collect and provide comprehensive statistical data on violence against women, disaggregated by sex, age and relationship between the victim and perpetrators, including data on the number of complaints, prosecutions and convictions, and on the sentences imposed on perpetrators of sexual and gender-based violence.

The Committee looks forward to pursuing its constructive dialogue with the authorities of the Bahamas on the implementation of the Convention.

Please accept, Excellency, the assurances of my highest consideration.

Yours sincerely,



Xiaoqiao Zou
Rapporteur on follow-up
Committee on the Elimination of Discrimination against Women