Committee on the Elimination of Discrimination against Women
Sixty-seventh session
3-21 July 2017
Item 4 of the provisional agenda
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 fifth to eighth periodic reports of Barbados

Addendum

Replies of Barbados

[Date received: 5 July 2017]
Constitutional, legislative and policy framework

1. It is agreed that the Constitution of Barbados does not guarantee equality as a fundamental right. It is for this reason, that the very first Article of CEDAW demands that our national definitions of “discrimination” be sufficiently broad to encompass any “distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of marital status, on the basis of equality between men and women, of human rights or fundamental freedoms in the political, economic, social, cultural, civil, or any other field.” This over-arching definition goes well beyond formal equality and speaks to substantial or substantive equality.

2. The definition of discriminatory acts as provided by the Barbados Constitution in Section 23 speaks to “affording different treatment to different persons attributable wholly or mainly to their respective descriptions by race, place of origin, political opinions, colour or creed…..” No provision is made here for discrimination on the basis of sex/gender. One might argue that this is a significant omission that contravenes international expectations of constitutionally enshrined rights. The issue of equality is however addressed by several pieces of legislation that enshrined the rights of all persons to be treated fairly before the law.

3. Barbados acknowledges “the omission of sex from the Constitution suggests that women can be discriminated against” as stated in the Barbados Report to the CEDAW Committee in November 2000. This statement, however, does not reflect the reality of Barbadian women’s equality before the law. Since 1975, 212 pieces of legislation were amended, repealed or replaced following the recommendations of the National Commission on the Status of Women.

4. Even though the word sex is omitted from section 23 of the Constitution, which deals more directly with discrimination, it is expressly mentioned at section 11 which speaks to fundamental rights and freedoms.

5. The Ministry of Social Care, Constituency Empowerment and Community Development (MSCD) and its Bureau of Gender Affairs (BGA) have advocated for the matter to be addressed through an amendment to the Constitution. The National Policy on Gender seeks to address the existing discrimination against women. The Policy is currently being reviewed by MSCD for transmission to the Cabinet of Barbados.

6. The document contains specific recommendations. For instance:

- Amend Section 23 of the Barbados Constitution to contain an anti-discrimination clause on the grounds of sex/gender and by extension marital status and pregnancy.
- Collect data/records to establish the impact of the Ombudsman’s office in relation to complaints of gender inequality.
- 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 organisations and educational campaigns directed at both women and men.

Access to justice

7. Please provide examples of cases, if any, in which the provisions of the Convention have been referred to by domestic courts, and indicate what measures have been taken to inform women about procedures available to them to enforce their rights under the

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1 Article 1 Convention on the Elimination of All Forms of Violence Against Women
Convention, to challenge discrimination and obtain redress. Please indicate if low income women have adequate access to legal aid.

8. There are no known instances where the Convention has been referred to by the domestic courts. With respect to the issue of low income women and legal aid, the Commission of Legal Aid provides legal representation to women appearing before the court.

National machinery for the advancement of women

9. Please indicate the measures taken by the State party to further strengthen its national machinery for the advancement of women, particularly the Bureau of Gender Affairs, the inter-ministerial Committee on gender, along with its focal points in the various departments, including by clearly defining the mandate and responsibilities of its various components and enhancing coordination among them, as well as through the provision of adequate human and financial resources. Please further indicate whether the Convention and the Committee’s General Recommendations are being integrated into capacity building programmes for law-makers, judges, prosecutors, lawyers, as well as the police and other law enforcement officials. Please also inform the Committee about any gender responsive budgeting activities that have been developed. Please provide updated information on the proposed National Policy Statement on Gender referred to in paragraph 14 of the State party’s report indicating whether an adjusted timetable has been established for its adoption. Please indicate whether the national machinery will be responsible for its implementation, coordination, monitoring and evaluation and whether adequate resources will be available to carry out these functions.

10. The Government of Barbados commissioned the development and drafting of a National Policy on Gender, referred to above. One of the mandates of the Policy is to undertake an analysis of the capacity of the Bureau. It is proposed that the role and function of the BGA should be expanded to facilitate the formulation and implementation of the National Policy on Gender in keeping with global developments and the policies of government to realise equality and equity for women and men.

11. The National Policy recommends that the staff compliment of the Bureau be doubled to include the post of:

- Deputy Director;
- one Training Officer;
- one Information Specialist;
- one Administrative Officer;
- one Research Officer;
- one Executive Officer.

12. The National Policy is expected to be resubmitted to the Cabinet Sub Committee on Social Policy by the end of the next quarter. It is envisioned that greater legitimacy will be given to the Cabinet approved strategy of gender mainstreaming (GM) thereby increasing the prospect for a successful implementation of the GM structures; the gender focal points; the inter-ministerial committee and the gender management team. These structures are included in the 2017-2018 work-plan.

13. The MSCD through the BGA will be responsible for the implementation for the National Policy on Gender. In addition to the Policy, some of the notable activities and interventions are as follows:

- The BGA worked with the Regional Police Training School to enhance the knowledge of the Chief Training Officer on the elements and importance of the CEDAW.
- In recent time, the Chief Justice and Magistrates received a Protocol for dealing with Gender Violence.
• The BPW Barbados Club has conducted seminars on Domestic Violence and Trafficking in Persons.

• The HIV/AIDS Committee of International Business has produced a play and film entitled “Simon’s Place” which dealt with homosexuality. Two training sessions were also conducted for Police and Community Stakeholders on the Lesbian, Gay, Bisexual, Transsexual and Intersex Community (LGBTI).

14. In addition to the proposed training for relevant staff within the Office of the Ombudsman (para. 11) please elaborate on what other steps have been taken to incorporate a gender perspective into the work of the Office. Please also provide an update as to whether any cases of discrimination against women have been considered by the Office since 2015, and indicate what measures have been taken to inform women of the role of the Office and to encourage them to report such cases. Please also indicate the measures taken to establish an independent national human rights institution in accordance with the Paris Principles, whose competencies include issues related to the equality of women and men.

15. The mandate of the Office of the Ombudsman relates to the investigation of complaints against agencies of Government. The office is empowered to hear complaints from any member of the public based on discrimination. To date, there have been no reported issues relating to discrimination against women.

16. On November 19, 2016, the Cabinet approved the establishment of a standing National Human Rights Coordinating Committee to manage the preparation of reports related to the United Nations Universal Periodic Review (UPR) and the treaty bodies; and organise the implementation of initiatives and commitments arising from the aforementioned processes.

17. The Committee, in relation to the Office of the Ombudsman and the establishment of a National Human Rights Institution (NHRI), in accordance with the Paris Principles, was mandated to evaluate the present role of the Office of the Ombudsman and comment on the feasibility of expanding the role of the Office into that of an NHRI.

18. The Committee convened its inaugural meeting on Wednesday, December 14, 2016 and has met on five occasions, thus far, for 2017. Consideration of the establishment of an NHRI is ongoing as the Committee explores the options for doing so. For instance, as to whether it be through the conversion of the Office of the Ombudsman or through a separate Human Rights Commissioner or otherwise.

Temporary special measures

19. The report outlines a number of initiatives that have been developed to facilitate women’s participation in political and public life (para. 40) with limited effect. However, the report does not provide specific details on whether any temporary special measures have been implemented or are envisaged as a means of accelerating women’s full and equal participation in all areas of the Convention where they are disadvantaged or underrepresented, including in political processes, decision-making positions in education and male-dominated sectors of employment. In this regard, the Committee requests that the State party provide information on temporary special measures, in accordance with article 4, paragraph 1, of the Convention and the Committee’s General Recommendation No. 25 (2004) on temporary special measures, in place to accelerate the realization of substantive equality of women with men.

20. The Government of Barbados is committed to equality for all, which is reflected in the Constitution and this commitment is driving more egalitarian policies and decision-making within the public sector. This is evidenced in the Public Service Act and the Employment Rights Act, 2012 which provide protection to all categories of workers.

21. Barbados has placed great emphasis and resources on educating its citizens. For example, education is free for all from primary to secondary level. In addition, education is substantially subsidised at the tertiary level to both men and women. Today, there is a greater number of women registered at the University of West Indies.
22. It should be noted that successive Administrations have ensured that within the public sector there has been equal pay for equal work and equal opportunities in employment. There is no disparity between the salaries paid to men and women in the Public Service and the certification required for jobs does not differ because of gender.

23. Women are represented at the highest level within the Public Service. The top position of Permanent Secretary is held by 68.4% of women when compared with 31.9% of men. There are twelve (12) women out of a total of sixteen (16) persons appointed as Permanent Secretaries to the various ministries.

24. The education sector is one area where women hold key decision-making positions. For example, the Chief Education Officer, some secondary school principals and several senior teachers are females. Within the trade union movement, women occupy senior positions as both of the major trade unions are headed by a female. Within the judiciary, women have been appointed as Judges and Magistrates and there are currently five (5) female High Court Judges compared to three males. Within the Court of Appeal, there are presently two (2) females compared to three males.

25. Women have the same rights as men to participate in elective politics. Recently there has been a marginal increase in the number of women offering themselves as candidates.

26. One of the most recent initiatives in Barbados is the development of the Constituency Councils. Within these Councils women have been appointed to participate in the decision-making process to improve community living. The Councils are generally composed of both genders.

**Stereotypes and harmful practices**

27. Please provide information on any measures taken by the State party to develop a comprehensive policy to change social and cultural patterns that reinforce traditional stereotypes on the roles and responsibilities of women and men in the family and in society, particularly targeting schools as well as negative media messaging and portrayal of women. Please indicate if the inclusion of ways in which gender stereotyping is reproduced and reinforced in the teaching of family life education, impacts the elimination of stereotypical perceptions and attitudes held by both sexes regarding the roles of men and women in home and society. Please also clarify whether any steps have been taken to improve content delivery as well as strengthen the systems for delivery identified as weaknesses of the programme in a 2011 UNICEF study (para.15).

28. The Bureau of Gender Affairs, cognisant of its role in eliminating stereotypical portrayals of gender, has facilitated several programmes, projects and workshops. These include:

- Workshops for young male students under its Masculinity Programme. The objectives of the workshops are:
  - to sensitize young males to the notion of masculinity to educate and motivate men to challenge damaging stereotypes and to affirm and practice damaging masculinities;
  - to create awareness of how masculinity impacts male behaviour.
- The proposed National Policy on Gender has Culture as one of the nine priority themes to be addressed. The policy emphasised the dimensions of stereotypes:
  - Household headship,
  - Religion and politically correct/gender neutral terms.
- The recommendations include efforts to:
  - Enable the general society to redefine culture by practicing equality of status and entitlement between boys, girls, men and women in all spheres of life;
• Educate and motivate men to challenge damaging stereotypes and to affirm and practice positive masculinities;

• Impute the monetary value of unpaid care work into national accounts and use these values to upscale women’s wages in the labour market;

• Lobby religious institutions to continue to promote gender justice, including the principle of equality in relationships, as critical to good family life;

• Set national standards that encourage positive portrayals of women and girls in all the art forms;

• Target boys, girls, men and women equally in all aspects and at all levels of the strategy to use sports as a tool for personal and national development;

• Amend Section 23 of the Constitution to include an anti-discrimination clause on the grounds of sex, gender, marital status and pregnancy;

• Enact anti-discrimination Human Rights legislation that contain clauses which forbid discrimination on the grounds of sex, gender, marital status, or pregnancy;

• The Caribbean Policy Development Centre (CPDC), a regional NGO based in Barbados, has taken part in the Global Media Monitoring Project (GMMP). The GMMP is an established and extensive research initiative in the treatment of gender in the news media.

• The Bureau of Gender Affairs supported the National Commission on HIV’s project “Transfer to Secondary Schools” (T2S) programme which provided new students with the information to overcome some of the challenges they may encounter. Topics covered included:
  • Human Sexuality
  • Drug Awareness,
  • Bullying and Conflict,
  • HIV Prevention, and
  • Gender Awareness, which was presented by the BGA. This focused on encouraging youth to make career choices that are driven by their own desires, capacity or capability, rather than a stereotypical role of what is a “female job” or “male job”.

• Other initiatives included:
  • The development of the Comprehensive Family Life Education Programme, which is soon to be implemented by the Ministry of Education
  • The establishment of a Media Champions Programme in December 2016 by the CPDC, to monitor the reporting of news related to employment.
  • Gender Equality Initiative Workshops by The Ministry of Transport and Works, which encourages more females in occupations dominated by males.
  • This initiative was developed by the Environmental and Social Management Plan, which is a current project being undertaken in collaboration with the Inter-American Development Bank (IADB).

Violence against Women

29. Given the State party’s acknowledgement that the murder rate of women is an issue of special concern during the reporting period please provide updated information on the steps taken to adopt comprehensive legislation criminalizing all forms of violence against women. Please also provide clarification as to why the proposed protocol to develop a mechanism for systematic data collection on violence against women was ceased (para. 30), and indicate whether an alternative system has been developed as a means of ensuring that
nation-wide data will be collected, collated, analysed and shared for purposes of effectively combating violence against women and girls. Please also indicate the steps taken to strengthen human, technical and financial resources of the Victim Support Unit of the Royal Barbados Police Force. Please provide information on what steps have been taken to address insufficiencies within the legal system to expeditiously process cases of violence against women, particularly rape, as a means of avoiding out of court settlements (para. 38) and ensuring that the perpetrators of such acts are prosecuted and adequately punished and victims provided with adequate protection assistance and reparations. Please provide updated information on the current status of the proposal made by the Bureau of Gender Affairs to amend the Sexual Offences Act (para. 39) to extend the definition of marital rape to include circumstances of de facto separation, as well as, ensuring that restrictive conditions do not impact on legal unions.

30. The legislative framework for domestic violence protection in Barbados is based primarily on the Domestic Violence (Protection Orders) Act, Cap 130A, the Sexual Offences Act and the Offences against the Person Act as well as the emergency Protection Orders. The main Act, however, is the Offences against the Person Act.

31. The amended Domestic Violence (Protection Orders) Act, Cap. 130A:

- extends the classes of persons who are considered to be victims of domestic violence;
- ensures that victims of domestic violence receive the appropriate counselling or therapy;
- facilitates the enrolment of perpetrators of domestic violence in the appropriate rehabilitative programmes;
- extends the classes of persons who may intervene in applications before the Court on behalf of victims of domestic violence;
- establishes the duties and powers of members of the Police Force in relation to allegations of domestic violence, including the power to issue emergency protection orders; maximises the safety and protection of victims and ensures that perpetrators of domestic violence are held accountable.

32. The Police now:

- have the authority to enter premises without warrants and issue emergency protection orders to safeguard victims of domestic abuse.
- must respond to every single domestic violence complaint they receive.
- may issue an emergency protection order if he or she has reason to believe that such an order is necessary to ensure the safety of a person at risk; issue emergency protection orders without the consent of the persons at risk; enter any premises without a warrant if an officer has reasonable grounds to suspect that an emergency protection order, an interim protection order or a final protection order is being breached; and enter premises – on the invitation of a person resident there, or independently – if there are reasonable grounds to suspect that a person on the premises has suffered, or is in imminent danger of suffering, physical injury at the hands of some other person.
- can seize any ammunition, firearms or other weapons in the possession or control of perpetrators of domestic violence, whether or not those weapons were used to commit acts of domestic violence.
- must record all incidences in a Domestic Violence Register and provide a copy to the complainant where practicable.
- must render assistance by seeking medical attention for the victim who suffered injury;
- accompany the victim onto premises for the purpose of retrieving personal property;
- ensure the welfare and safety of children and other persons on the premises.
• ensure there are no further breaches of the law.

33. The Bureau of Gender Affairs, with the support of UNIFEM, developed a mechanism for systematic data collection on violence against women as a means of harmonising the data on violence. A number of stakeholders did not participate in the pilot phase citing a lack of human resources and difficulties with the length of the instrument.

34. The Bureau recognises the need to review and restructure the document in the near future.

35. In terms of current data collection systems, the creation of the Family Conflict Intervention Unit, which is designed to respond to, and record more detailed information on domestic violence, will assist in improving the inadequacies of data collection made through the Police Force.

36. This Unit, which was established in June 2013, has recently been upgraded to new physical facilities. It ensures that both men and women have equal access to exercise their rights and are entitled to the full protection of those rights that are embodied within regional and international instruments on human rights. A victim is advised of their rights.

37. Additionally, the Government of Barbados has entered into an agreement with the Organisation of the American States (OAS) Development Corporation Fund (DCF) in August 2015 to implement a Monitoring and Evaluation System (MES) which measures and appraises social service delivery by 2017. The Bureau of Gender Affairs has identified a number of indicators on gender based violence and domestic violence. This Framework is expected to clearly outline:

• the steps of data collection
• the Programme /Project indicators which will be monitored
• the individuals responsible for collecting information
• the data collection tools

38. Barbados has amended its Sexual Offences Act, Cap 154 to address the issue of marital rape. Marital rape now carries a maximum penalty of life imprisonment. The Sexual Harassment Bill is also being considered for enactment.

39. Please provide information on measures taken to ensure that girl victims of sexual abuse have access to protection centres, and ensure that these are available throughout the country. Please also indicate the steps taken by the State party to conduct awareness-raising campaigns, particularly for girls, parents and caregivers, in order to prevent the stigmatization of victims of sexual violence and abuse. Please provide information on the measures taken to develop adequate systems of investigation of cases of sexual exploitation and promptly prosecute all cases of sexual abuse of girls.

40. The Government of Barbados has available, several children’s homes that provide shelter and protection across the island. Children are placed in facilities based on their age and other specific needs. Female victims ranging from babies to the age of 18 years might be sent to the Nightingale Children’s village, other children’s homes, foster care or community placement under the supervision of the Child Care Board.

41. Public Awareness raising is conducted at four levels:

• The Safe Touch Programme that targets children at Primary schools;
• Public Education interventions with parent teacher associations, community groups and other NGO requesting information;
• Use of the media with the “Breaking the Silence Campaign” with support from UNICEF.
• Outreach to Churches and Faith-based organisations

42. Cases of female victims of child sexual abuse may be made known through some of the following methods:

• Direct calls to the Child Care Board:
• Child is assessed by the SCAN (Suspected Child Abuse and Neglect) Clinic which is coordinated by the Queen Elizabeth Hospital
• Child is assessed medically by one of the medical practitioners assigned to the Child Care Board’s doctor.
• Direct calls to the Royal Barbados Police Force:
  • Criminal Investigation begins with the medical examination and the collection of evidence

43. It should be noted that all cases reported must undergo a specific case management process that is coordinated by the Child Care Board.

**Trafficking**

44. According to information before the Committee, the State party is a source and destination country for women and girls subjected to sex trafficking and forced labour. The report notes that in 2011, the Transnational Organized Crime (Prevention and Control) Act was passed which provides for prosecution in this regard (para.6). Please provide information on the number of cases investigated, prosecuted and the nature of sanctions imposed on perpetrators of trafficking in human beings, particularly women and girls. Please also provide details on the functions of the trafficking unit established within the Royal Barbados Police Force (para.6). Please provide updated information on the status of the draft protocol and policy and procedures manual for protection of victims of trafficking proposed since 2008 (para. 24) and the prosecution of offenders. Please indicate the measures taken to strengthen awareness-raising programmes on trafficking, particularly in low income urban areas, and to ensure the provision of adequate protection and assistance to women and girls victims of trafficking, including the provision of shelters and rehabilitation and reintegration support.

45. The Barbados National Task Force for the Prevention of Trafficking in Persons (TIP) was formed in 2013 by a decision of the Cabinet of Barbados. The structure of the Task Force reflects the responsibility and accountability of the various ministries and departments in providing the services of Prevention, Protection of victims and the Prosecution of perpetrators of Trafficking in Persons.

46. The Attorney General and Minister of Home Affairs is Chairperson of the National Task Force. The other members are representatives of the Permanent Secretaries of the following Ministries or Heads of Departments: Ministry of Defence and Security; Chief Immigration Officer; Ministry of Home Affairs; Commissioner of the Royal Barbados Police Force; Director of Public Prosecutions; Ministry of Labour and Social Security; Ministry of Culture Youth & Sports; Ministry of Social Care, Constituency Empowerment and Community Development; Chief Welfare Officer; Ministry of Foreign Affairs; Ministry of Health; Ministry of Education; Ministry of Housing; and the Bureau of Gender Affairs Secretariat/Coordinator of Task Force.

47. The Task Force has, *inter alia*, achieved the following:

- Adoption of the UN Protocol Against Trafficking in Persons;
- Barbados Operations Guidelines;
- Convening of a Round Table for Senior Members of Government;
- International Organisation of Migration (IOM) Training for front line officers of the Royal Barbados Police Force and Immigration Officers;
- IOM Train the Trainers workshop for frontline officers;
- Awareness Sessions for Media and NGOs; foreign officers of the Ministry of Foreign Affairs, the Committee of Permanent Secretaries, and the Barbados Hotel and Restaurants Association;
- TIP Workshop “Caring for Trafficked Persons (Guidance for Health Providers);
• Repealing of the Transnational Organized Crime (Prevention and Control) Act 2011­-2013;

48. The National Task Force submitted the Barbados National Policy on Human Trafficking to the Chairperson of the Task Force and is awaiting Cabinet approval. The Policy is intended to inform a five-year action plan of programmes and activities that is continuing the national public information campaign on trafficking in persons entitled “Human Trafficking Modern Day Slavery- Never Again”.

49. The Policy replaces the National Guidelines, which served the purpose of bringing structure to the work of the Task Force. The objectives of the Policy are defined within the three Ps previously reported.

50. The Royal Barbados Police Force and the Immigration Department have jointly produced their procedures manual which forms the basis for their continuous training. Other agencies are guided by the mandate of their specific organisations. Efforts will continue to document their procedures to meet the requirements of survivors and traffickers.

51. The Government of Barbados recognises its limitations and is currently unable to provide a dedicated shelter for survivors of trafficking. Support and protection is, however, provided by the government-supported BPW Barbados Shelter for Battered women. All reports were of the high level of quality support provided. Clients who desired were returned home with the support of IOM and the receiving state’s police and Consul General.

52. The Sex Crimes and Trafficking Unit of the Royal Barbados Police Force conducts parallel investigations with the Immigration Department in the gathering of intelligence and the conducting of raids in areas where human trafficking victims have been identified. Since the filing of the Combined Report no new arrests and charges have been made.

Participation in Political Life

53. Please provide, in particular, information on measures taken to introduce a system of quotas that would aim at reaching a minimum 30 per cent representation of women in Parliament, and to support women candidates for elected positions in the State party. Please provide information on measures taken to amend legislation and policies related to women’s participation in political and public life and to incorporate provisions that promote equal representation of women and men in leadership and decision-making at all levels and in all areas of political and public life and develop women’s leadership capabilities to engage in these roles. Please also indicate whether the web-based portal to serve as a focal point for discussion and dissemination of information on strengthening the political participation of women (para. 44) is still in place and if so, whether its impact has been evaluated.

54. The political climate in Barbados has not yet taken to the idea of a quota system and there is no consensus on the matter. However, the two major political parties have made concerted efforts to raise the level of awareness and to encourage women’s participation through a number of activities that includes lectures, division of the country in sectors with youth leadership and to give greater support to their women’s arms and their youth arms.

55. The Government of Barbados’ National Youth Policy of Barbados, recognising the importance of adequate participation by young people in the political process recommended the establishment of a Barbados National Youth Parliament (BNYP) as a best practice to provide opportunities and platforms for young people to learn about politics, democracy, social work and the parliamentary system. In this regard, the planning process for the establishment of the Barbados National Youth Parliament (BNYP) commenced during December 2013 and progressed in earnest from January 2014 with the drafting of the project document which was approved by the Cabinet of Barbados. The BNYP was
officially launched under the egis of President of the Senate, Her Honour Kerry Ann Ifill and His Honour, Speaker of the House of Assembly, Mr. Michael Carrington in an official ceremony at the Parliament, on 15th April 2014.

56. The membership of the BNYP is open to all Barbadian Citizens and Permanent Residents, between the ages of 14 and 21 who are attending a recognised educational institution. Applications are also accepted on the recommendation of youth groups, constituency councils and community groups. The selection process involves the engagement of a number of focal points from the various schools and institutions. The broad goals of the BNYP are:

- To increase political participation among young people and to connect said youth with the existing members of parliament to help them develop and understand the role parliament plays within our society and the world around them.
- To have a successful and effective youth parliament that can be relied upon to stimulate growth and change amongst its participants, organisers and the wider community.
- To ensure that the voice of the Youth is heard not only in the streets of Barbados but also in its Parliament, declaring and proclaiming what young people of this nation stand for and against.

57. Training sessions are conducted to educate Youth Parliamentarians formally and informally about politics to provide them with the necessary skills to participate in the parliamentary system, to develop confidence in their individual participation and to encourage team building in preparation for debates. To this end, training sessions are usually organised prior to all debates, as a means to adequately prepare the Youth Parliamentarians to debate. Some of the topics discussed were:

- Presentation on the Structure of Youth Parliament
- The Rules and Procedure of the Senate
- Conducting Research for Debate
- Public Speaking
- Team Building
- Developing Research and Critical Thinking Skills
- Presentation Skills
- Understanding the Commonwealth and Parliamentary Democracy
- Mock Debates

Nationality

58. Information before the Committee suggests that whilst children born in the State party to either Barbadian mothers or fathers are eligible to acquire Barbadian nationality, Barbadian mothers cannot confer nationality on their children born abroad, whereas Barbadian fathers can. Given the reference in the Report, which indicates that amendments to the Constitution in 2000 now allow either parent to confer citizenship to a child, wherever that child is born (para.112), please clarify how the State party applies Article 5 of the Constitution and how domestic legislation ensures equality between Barbadian women and men with respect to their ability to confer their nationality to their children in all circumstances, in order to reduce statelessness, in line with articles 1 to 3 and 9 (2) of the Convention and the Committee’s General Recommendations No. 28 (2010) on the core obligations of States parties under Article 2 of the CEDAW and General Recommendation No. 32 (2014) on the gender-related dimensions of refugee status, asylum, nationality and statelessness of women.

59. The Barbados Constitution (Amendment) Act, 2000-18, provides for persons born outside of Barbados after 29th November 1966 to acquire Barbadian citizenship in
accordance with subsection 5(2) of the Constitution, if at the date of birth at least one of his parents is a citizen of Barbados who was born in Barbados. The Constitution specifically states that:

60. Subject to subsection (1) and without derogating from, or in any way affecting, that subsection, a person born outside of Barbados after 29th November 1966 shall become a citizen of Barbados at the date of his birth if at the date of the birth at least one of his parents is a citizen of Barbados who was born in Barbados.

61. Departmental policy also facilitates the granting of Citizenship to such persons, born before 29th November 1966, out of wedlock to Barbadian-born males or in wedlock to Barbadian-born females married to non-Barbadian males, under Section 4(3) of the Citizenship Act Cap. 186. In that regard, those persons (though not provided for in the Constitution) are not at a disadvantage in the acquisition of citizenship.

Education

62. Please indicate whether any steps have been taken to address the concern outlined in the report regarding the policy of requiring girls to achieve higher grades than boys in the Common Entrance exam (para. 116). Please also provide information on measures contemplated to ensure that school principals adhere to legislative provisions governing the return of adolescent mothers to school to complete their education (para. 124). Information provided in the Report indicates that students enrolled in the Barbados Vocational Training Board (BVTB) continue to opt for traditional gender-linked training (para. 119). Please indicate what measures are contemplated to increase female participation in non-traditional areas of vocational training as well as in technology and science based studies at the secondary and tertiary levels. Please provide updated information on the progress made to develop age appropriate education on sexual and reproductive health and rights at all levels of education in the State party. Please also provide data on the dropout rates of girls owing to pregnancy and the indirect costs of education that might impede women’s and girls’ access to education, particularly in female-headed households.

63. Education was identified as a priority theme in the Barbados National Policy on Gender and Gender Action Plan.

Barbados Secondary School Entrance Examination

64. Currently a situation exists where higher scores are required from girls to enter schools as ranked after completing the Barbados Secondary School Entrance Examination (BSSEE). This is so because the statistics have consistently shown that girls score higher than boys on the BSSEE in both English and Mathematics.

65. The charts below show that girls’ scores were sometimes 10% higher than boys when comparing those scoring more than 40% in the BSSEE English paper. The difference in the required scores is done in an attempt to provide a gender balance at the schools traditionally top of the established school hierarchy. It is believed that if the entrance scores are equalised, the top-ranking schools will have an intake which is gender imbalanced (predominantly female).
Tvet and community college

Source: Ministry of Education, Science, Technology and Innovation

Teenage pregnancy

66. In general, the rates of teenage pregnancy have been trending downwards in Barbados. In fact, births to teenage mothers declined by 10% during the period of universal free education.

67. There is no general, written policy on the procedures to be applied in all Barbadian schools regarding students who become pregnant. The principle to be followed, however, is that the student is to be supported to ensure that she is able to continue to access her education. For example, once a female is under the age of sixteen she is placed in an
educational institution to continue her education. The possible disruption may occur where the education is continued at another Secondary School.

68. There were no statistics available specifically for cases where drop-outs occurred due to teenage pregnancy. It must be noted that the Barbados Family Planning Association facilitates a Teen Mother’s Programme.

Technical and Vocational Education and Training (TVET)

69. The Country Assessment of Living Conditions (2012) confirmed that tertiary level subject choices reflected the sexual division of labour in Barbados. The chart below shows the enrolment rates for several programmes offered across the eight Skills Training Centres run by the Barbados Vocational Training Board (BVTB) for the period April 1, 2013 to March 31, 2014.

70. Total enrolment at the BVTB for that period shown (including other courses not included in the chart) was 321 males as compared to 173 females. In keeping with employment patterns, males chose to pursue training in skills based areas while general enrolment from females was low and in the areas of care of the elderly, housekeeping and office procedures.

71. The Caribbean Vocational Qualification (CVQ), a competency based Certification, is now being offered at all 22 public Secondary Schools in a wide range of subject areas. This offers another certification option for students and provides girls with exposure to technical subjects at a younger age. CVQ certification enables individuals to seek employment throughout the Caribbean under the CARICOM Skilled Nationals Program.

72. There is an overall emphasis being placed on the Science, Technology, Engineering and Mathematics (STEM) areas at the Ministry of Education. This emphasis has been reflected not only in a name change at the Ministry from 2013 but in a commitment to implement teacher retraining programmes in the teaching of Mathematics at the Primary level and in the allocation of higher education scholarships (National Development Scholarships) for tertiary education outside of the island. It is also noted that the National Policy on Gender calls for teacher training to encourage girls to choose a balance of academic and vocational instruction at the Secondary level. Earlier this year, the Ministry of Transport and Works engaged in a special initiative which allowed Secondary school girls to tour the Ministry’s office and learn about the jobs available there. It is envisioned that more programmes will be designed to expose women to what are currently seen as unconventional career choices.

73. The State party report recognises that although women and girls show higher participation and attainment rates at all levels of education, these rates are still not adequately reflected in employment or income parity, with unemployment rates remaining
higher among women (para. 128). Please provide information on the concrete measures taken to promote women’s employment in non-traditional, higher waged sectors, including through the use of temporary special measures; and to enforce the principle of equal pay for work of equal value, in line with ILO Convention No. 100 (1951) on equal remuneration, in order to close the gender wage gap. Please provide updated information on the proposed Sexual Harassment (Prevention) Bill (para. 136) which has been pending for many years. Further, please include information on the engagement of women in the informal sector and measures in place to ensure their protection and sustainability of their enterprises.

74. It should be noted that persons employed in the Civil Service and statutory corporations are remunerated on the basis of the post held and not on gender.

75. Efforts at encouraging women to seek employment in non-traditional areas were previously noted.

76. Barbados’ economy continues to recover. Economic growth in 2016 is estimated to have been 1.6 percent and to have accelerated in the first quarter of 2017 to 2 percent. The stronger economic performance has supported a reduction in the unemployment rate to 9.7 percent in 2016 from 11.3 percent in 2015. Women and men who become unemployed are provided assistance through the National Insurance Scheme’s Unemployment Benefit which is designed to provide some measure of assistance to persons as they seek other opportunities.

77. The Ministry of Labour has, in coordination with the Government Information Service, sought to sensitise members of the general public of their rights to decent work. This has resulted in the dissemination of information, primarily via radio programmes and press releases, on the importance, for instance, of equal pay for equal work. This awareness raising is primarily focused on the private sector.

78. Work on the drafting of the Sexual Harassment Bill is ongoing. Comments were received from stakeholders on the document. Efforts were made to incorporate the issues raised and views were again solicited on the revised draft. Some suggestions that were received will require the amendment of some existing pieces of legislation.

79. Currently, the proposed legislation on sexual harassment should cover sexual harassment in the workplace that is not physically bounded. The proposed legislation suggests that sexual harassment be defined as:

“any unwelcome verbal or non-verbal conduct of a sexual nature negatively affecting the dignity of persons at work which makes an unfavourable impact on their work opportunities or their well-being at the workplace.”

80. It should be noted that the Sexual Harassment Bill seeks to speak not only to issues confronting women; it is also intended to protect men and young boys who are sexually harassed in the work place, thereby protecting all workers.

81. Further to the Committee’s previous recommendations (CEDAW/C/SR.579, para. 244) please indicate what measures have been taken to adopt an equal employment opportunity law and a legislative provision on parental leave for fathers.

82. Generally, the Employment Rights Act, 2012 confers on employed persons, new employment rights. Among the rights provided for is a right to a statutory minimum amount of notice of termination for both employers and employees. The rights of employees under the Act include: (a) the right, at the commencement of employment, to a written statement of the particulars of the employment; (b) the right, whenever salary or wages are paid, to a written statement of the particulars of the payment; (c) the right to be consulted before being laid off or placed on short-time; (d) the right, if dismissed for redundancy, to priority on re-hiring in certain circumstances; (e) the right, where employment has ended, to a certificate giving particulars of the employment including, where the employment ended by dismissal (should the employee so wish), a statement of the reasons for the dismissal; and (f) the right not to be unfairly dismissed.

83. It is reiterated that protection of the fundamental rights and freedoms of the individual is at the core of the Constitution of Barbados and policies of Government. In 2007, Government through the Ministry of Labour disseminated policies and codes of
practice on HIV/AIDS and other chronic illnesses. Continuing today, the Ministry of Labour Social Security & Human Resource Development is mandated to promote a supportive, ethical and human rights environment for all workers and to reduce the vulnerability of the formal and informal sectors of the workforce to HIV/AIDS. The policies and codes of practice on HIV/AIDS and other chronic illnesses include the International Labour Organisation (ILO) Code of Practice on HIV/AIDS and the World of Work and the Policy on HIV/AIDS and Other Life Threatening Illnesses for the Public Sector. The guidelines entrenched in each code have been developed to protect human rights and to promote non-discrimination against persons living with HIV or any other life threatening illness. These guidelines include the following:

- Establishing a health education programme which emphasises prevention, care and treatment.
- Maintaining confidentiality to guard against breaches of security.
- Prohibiting mandatory testing by employers.
- Promoting reasonable accommodation.
- Ensuring and promoting the principle of non-discrimination.
- Protecting entitlements of all workers.
- Promoting safety and health.

8.4. In October 2002, the Ministry of Labour was requested by the National HIV/AIDS Commission to develop a register to record and investigate all cases of discrimination against persons living with and affected by HIV/AIDS. Agreement was obtained for the establishment of a Project Unit within the Ministry of Labour to oversee the Register.

8.5. Due to spatial constraints, the Project Unit only became operational in 2007. The legislation governing the Project Unit is expected to ensure that no person should unfairly discriminate against an employee or prospective employee in any employment policy or practice on the basis of race, place of origin, political opinions, colour, creed, sex, marital status, pregnancy, age, medical condition, disability. In addition, the legislation applies to all employers, employees and prospective employees, workplaces and contracts of employment.

8.6. The members of staff of the Unit are empowered to carry out their required duties to:

(a) Receive a written complaint within six months of the occurrence of the alleged incidence from:
   i. The complainant; or a
   ii. A third party/group acting on behalf of the complainant.

(b) Conduct face to face interviews with the complainant.

(c) Investigate complaints relating to acts of discrimination in the Workplace.

8.7. A number of workshops are held which seek to educate persons on the basic issues pertaining to HIV/AIDS and its impact on the society. These workshops are designed to effect positive change in the workplace. The peer education module uses informal communication to increase knowledge and to reduce risky behaviours. Approximately seventy-five (75) peer educators have been trained through this programme. The stigma reduction module is aimed at educating management and other key personnel on what is stigma and discrimination and how to reduce the negative impact in the workplace. Training workshops also focus on occupational safety and health.

Health

8.8. Please indicate whether any measures have been taken to evaluate the impact of the Ministry of Health Programme on Maternal and Child Health. Please also provide information on: (a) the percentage of the national budget allocated to women’s health; (b)
the maternal mortality rate; (c) women’s access to basic health-care services, including essential obstetric care and sexual and reproductive health services. Given the high level of adolescent pregnancy (information before the Committee suggests a rate of 40 per cent of all births under age 20) and indications that many school girls under the age of consent are obtaining abortions, please provide information on what measures are being taken to address this problem. Please also provide details on the programmes mentioned in paragraph 75 of the report to reduce early pregnancies and the services provided to ensure that adolescent mothers are provided with the necessary support in terms of nutrition, health and psychosocial care. Please also provide information on what measures are being taken to address this problem. Please elaborate on the specific functions of the HIV/AIDS Commission and the HIV/AIDS Committees, and indicate whether they are provided with the necessary human and technical support in order to implement their mandate. Please provide information on the 2008 National HIV/AIDS Policy and indicate whether any measures have been taken to evaluate its impact, particularly in reducing the prevalence of HIV/AIDS among women and girls (para. 69).

89. In relation to the question, it is necessary to indicate that the Ministry of Health has not yet evaluated the programme on Maternal and Child Health.

90. In addition, the percentage of the national budget allocated to women’s health was not identified as the budget allocation is not structured on the basis of gender.

91. It should be noted that the maternal mortality rate is 34.8 / 100,000 live births.

92. With regard to women’s access to basic health-care services, including essential obstetric care and sexual and reproductive health services, access is free at the point of service for Barbadian nationals for all Primary Care services which include essential obstetric care and sexual and reproductive health services. These services are available at the nine (9) Polyclinics and the Queen Elizabeth Hospital (QEH).

93. Research is planned to investigate the associated causes of adolescent pregnancy so that programmes can be developed and implemented.

94. Support and counselling for pregnant adolescents and adolescent parents are provided in the public service through the polyclinics and relevant partners, for example, the Barbados Family Planning Association.

95. The National HIV/AIDS Commission (NHAC) was officially established in 2001 to provide the Government of Barbados with a means of effectively coordinating and managing the expanded multi-sectoral response to HIV. The Commission replaced the National Advisory Committee on AIDS under the Ministry of Health which managed the National AIDS Programme from 1987-2001.

96. The NHAC’s main functions are to: (i) Advise government on HIV/AIDS/STDs policy; (ii) Advocate for the effective involvement of all sectors and organisations in implementing programmes and strategies; (iii) Monitor the implementation of the Strategic Plan in all sectors of society; (iv) Create and strengthen partnerships for an expanded response among all sectors; (v) Mobilize resources (internationally and locally) for the implementation of the National HIV/AIDS programme and (vi) Recommend appropriate research.

97. In addition to discharging its mandate, the NHAC has, with its allocated resources and creative partnerships, made significant achievements in recent years. Since 2010, these include the development of a Prevention Plan targeting the most-at-risk populations; the development and dissemination of the first surveillance report since the improvement of the surveillance system; Revitalisation of HIV Programmes in the Barbados Fire Service, Royal Barbados Police Force and Her Majesty Dodds (Prisons); and the development of the Behaviour Change Communication Training Manual.

98. The 2008 National HIV/AIDS Policy informed the 2008-2013 National Strategic Plan (NSP), which gives overarching guidance for the multi-sectoral National AIDS Programme. The National Strategic Plan (NSP) 2014-2018: “Investing for Results” is evidence-based, after evaluation of the 2008-2013 Plan, with a sharpened focus on
prevention, treatment and care, structural frameworks and sustainability. The 2014-2018 NSP was further evaluated in a formal mid-term review conducted in 2016-2017.

Women with disabilities

99. Please provide updated information on any steps taken to introduce anti-discrimination legislation at the local level to prevent discrimination against women with disabilities as noted in paragraph 5 of the report. Please provide information on the extent to which women with disabilities are disproportionately affected by poverty and access to health services, education and employment. Please provide concrete examples of existing social protection schemes in place aimed at reducing the economic burden on women in disadvantaged groups, including women with disabilities.

100. There is currently no legislation in place which specifically addresses discrimination against women with disabilities. However, having become a signatory to the Convention on the Rights of persons with Disabilities, Barbados has made efforts to ensure that women with disabilities are treated in a non-discriminatory manner.

101. The National Disabilities Unit has conducted a series of workshops specifically geared towards women and girls. The areas covered included health in general as well as dental, gynaecological and mental health. Additionally, linkages were formed with other stakeholder agencies for “Sensitisation Sessions” to heighten the awareness regarding the effects of the HIV/AIDS disease and measures to prevent its spread. Also discussed was the vulnerability to HIV/AIDS on the part of persons with disabilities, the need to deliver information in the format suitable for persons of each disability type, stigma and discrimination issues. Additionally, information was disseminated among this population as it relates to Human trafficking, physical and mental abuse.

102. Generally, communication and exposure play an integral role when moving towards equality for persons with disabilities. Consequently, a “Shine like a Diamond” program was conceptualised by the designated Special Envoy for Persons with Disabilities where females were allowed to showcase their talents. The program which seeks to improve self-esteem and self-worth, is held an annual basis and has captured the attention of the general public who fully support the venture by their attendance and the donation of prizes.

103. The Barbados Council for the Disabled (BCD) – the umbrella non-profit agency working for and with persons with disabilities has administered several programmes focussing on women. With funding through the United Nations Population Fund the Council conducted a Sexual Reproductive Health Programme for over four (4) years. This programme provided counselling and support to several young women and provided empowerment programmes and training in leadership development. The Barbados Association for the Blind and Deaf, one of the organisations under the umbrella of the BCD has sponsored a group for blind and visually impaired women for a number of years. This agency runs a number of projects to empower women, address issues related to health and the development of entrepreneurship.

104. Monitoring and evaluation of the programmes under the ambit of the National Disabilities Unit has been ongoing. Consequently, all the programmes gained the necessary attention for improvement through workshop evaluation forms completed and returned by participants for active consideration. As a result of, the evaluation process, the indicators and the baseline data provided valuable information for going forward.

105. Women and girls with disabilities have a vital role to play in the economic and social development of Barbados. Their contribution to the nation’s overall productivity stems from their inclusion in the workforce, socially and intellectually. Women and girls with disabilities are being empowered, and on a daily basis use any available forum to exercise their rights and accept their responsibilities.

106. Partnerships have been established with the private sector through the “Social Partners” who have agreed to promote, inter alia, the implementation of educational and occupational training programmes. Additionally, there is a commitment to community-based rehabilitation programmes and other projects including cottage industries, which
have the potential to generate income for women with disabilities. In Barbados, legislation on the protection of persons with disabilities is on the horizon in the form of the “Discrimination in Employment Act” where persons with disabilities, including women, can have recourse in instances of discrimination in employment.

107. The Government of Barbados stands committed to the support of women and girls with disabilities and will continue to provide opportunities for their integration into a fully accessible Barbados.

108. The Barbados Family Planning Association has an examination room which has been retrofitted to allow for wheelchair access. This allows women with disabilities to access Pap smears, annual examinations, breast examinations and other medical services.

Refugees and asylum-seeking women

109. The report does not provide information on the situation and the registration system of refugee and asylum-seeking women in the State party, and on asylum claims based on gender-related persecution. Please indicate whether efforts have been made to establish a formal mechanism to identify persons in need of international protection, including women refugees, stateless women and victims of trafficking in persons, and by providing enhanced training and guidelines to law enforcement officials to identify and protect such persons. Please also provide recent statistical data on the number of refugee and asylum-seeking women in the State party, the services available to them, as well as on the quality of these services. Please also describe measures taken to protect refugee and asylum-seeking women and girls from violence, sexual harassment in the workplace, and trafficking and to ensure that they have adequate access to health services, in particular sexual and reproductive health services.

110. Barbados is not a signatory to the 1951 Convention and the 1967 protocol relating to the status of Refugees. Nonetheless, the Immigration Department recognises its obligation to human rights concerns and is committed to the principle of non-refoulement.

Marriage and family relations

111. Please indicate whether and how considerations of gender-based violence against women in the domestic sphere are taken into account when ruling on child custody and visitation rights. Please also provide an update on the regulations pertaining to child maintenance, including whether a minimum level of maintenance has been established.

112. The Government of Barbados having signed, ratified and reported on the Convention of the rights of the child is currently considering the following recommendations by the Legal Consultant to the Ministry of Social Care, Constituency Empowerment and Community Development with responsibility for the Child Care Board. The Cabinet Paper has been submitted and approved by the Sub Committee on Social Policy.

113. The Paper recommends that custody should be awarded according to the best interest of the child. (CRC Article 9).

- The proposed new Act will introduce child support guidelines to ensure that children have an adequate standard of living. These support guidelines will be researched and developed by economists engaged for the purpose. The guidelines should provide for both parent’s income to be assessed and the same self-support amount deducted from each before child support is worked out.

- A child support collection agency to supervise collection and payment of arrears and pursue defaulters who would then be brought back to court for sanction.

- New methods of collection e.g. payment by cheque has already started. Other suggestions include suspension of driver’s licences or road traffic licences, provided they are not taxi or ZR drivers (persons operating a type of public service vehicle) or other persons whose livelihood depend on the ability to drive a vehicle; deduction
from NIS benefits and income tax refunds, surrender or suspension of passports or use of community service orders; distress could be another means of recovery where big screen televisions etc. are seized and the money recovered that way.

- Imprisonment for non-payment should be discontinued.
- A child support fund be established (to cover all children whose parents are temporarily unable to comply with maintenance orders through unemployment or illness).
- Amendment to the Succession Act so that children can receive maintenance from their parents’ estates beyond the age of 18 if they are continuing their education.

**Natural disasters**

114. According to information before the Committee, the State party is in the hurricane belt and hence susceptible to tropical storms. Please provide information on whether a gender perspective has been incorporated into national disaster management, relief and recovery strategies, and indicate whether women participate at all stages of the disaster management process.

115. It is noted that Barbados along with being in the hurricane belt is also located in a seismically active area. Since 2007 the island has experienced several “felt” earthquakes.

116. A gender perspective has not been explicitly incorporated into national disaster management, relief and recovery strategies. The Emergency Management Act CAP 160A does, however, specifically speak to “Vulnerable areas, Critical infrastructure and Vulnerable Persons”. In the Act “vulnerable” means susceptible to the impact of hazards, disasters or other emergencies whether through physical, social, economic and environmental factors or processes.

117. The Department of Emergency Management (DEM), which is the government agency with lead responsibility for the coordination of the National Emergency Management System, is involved in initiatives targeting special needs groups including the elderly and the disabled. These initiatives highlight the need for these groups to be prepared in the event of any adverse hazard impact whether natural or man-made. There is also an ongoing schools’ programme which aims to educate the island’s youth on matters of hazard preparedness.

118. Women in Barbados participate at all stages of the disaster management process. The current head of the Department of Emergency Management (DEM) is a female. Additionally, of the DEM’s fourteen (14) members of staff, eleven (11) are female.

119. Detailed sector planning for national disaster management is done through the Emergency Management Advisory Council (EMAC)3 Standing Committees. These Committees were established to involve the widest possible number of agencies or individuals who have information and skills, or control resources critical to an effective disaster management process. The Standing Committees promote coordination of effort and resources without affecting the individual roles and responsibilities of the various participants. Of the fifteen (15) EMAC Standing Committees nine (9) are either chaired or co-chaired by women.

120. Further, ten (10) of the twenty-four (24) District Emergency Organisations (DEOs) currently functioning are headed by females. District Emergency Organisations are the volunteer arm of the Department of Emergency Management. The role of the DEO is to

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3 The Emergency Management Advisory Council (EMAC) was inaugurated in July 2012. It was established in accordance with Part III, Section 7 of the Emergency Management Act, CAP. 160A to:
- Recommend policies, programmes and activities to enhance the emergency management programme;
- Review the work of the Committees of the Council with respect to specialized areas; and
- Perform any other function assigned to the Council by the Minister.
organise and coordinate the resources of the community so as to allow for an effective response in time of crisis.

Optional Protocol and amendment to article 20, paragraph 1

121. The State party report notes that the Office of the Attorney General advised that the Government would have to ensure that it is in a position to establish the various mechanisms in order to carry out all its obligations envisaged by the Protocol before it agrees to sign the Optional Protocol to the Convention (see CEDAW/7/BRB/5-8). Please indicate any progress made with respect to the ratification of the Optional Protocol and acceptance of the amendment to article 20, paragraph 1, of the Convention concerning the Committee’s meeting time.

122. The position of Barbados has not changed.