

International Disability Alliance (IDA)

Member Organizations:

Disabled Peoples' International, Down Syndrome International,
Inclusion International, International Federation of Hard of Hearing People,
World Blind Union, World Federation of the Deaf,
World Federation of the DeafBlind,
World Network of Users and Survivors of Psychiatry,
Arab Organization of Disabled People, European Disability Forum,
Red Latinoamericana de Organizaciones no Gubernamentales de Personas con
Discapacidad y sus familias (RIADIS), Pacific Disability Forum

Suggestions for disability-relevant questions to be included in the List of Issues Pre-session Working Group of the CEDAW Committee for the 52nd Session

The International Disability Alliance (IDA) has prepared the following suggestions for the list of issues, based on references to persons with disabilities to be found in the State submitted to the Committee on the Elimination of Discrimination against Women.

BAHAMAS

The Bahamas has not ratified the Convention on the Rights of Persons with Disabilities.

State report

Select references to persons with disabilities in the state report, list of issues and replies:

67. The Government keeps under review the reform and enhancement of existing legislation and the enactment of new laws so as to remain in the forefront of countries advocating the advancement of human rights practices internationally. The Government of The Bahamas has under active review legislation to improve the provisions of law relating to: the administration of justice, protection and guardianship of children, education, health insurance, improved protection for the **handicapped**, emergency relief assistance, land and estate administration, industrial relations, and immigration.

132. The Government of The Bahamas along with its respective ministries and organizations has continued to work towards the development and advancement of women in The Bahamas. Women have continued to advance meaningfully in areas such as: politics, public life, education and employment. However, one significant failure for The Bahamas has been that not all women are advancing at the same pace. Those specially disadvantaged are women in the lower socio-economic classes, some women in the Family Islands (Rural women) and migrant Haitian women; who need special attention as they are the most marginalized group of women in the country. In addition, **women with disabilities** are also in need of more attention from the Government of The Bahamas, NGO's and local entities, due to the tremendous **shortfalls in addressing disabilities** in The Bahamas.

274. In Special Schools, the most common reasons for absenteeism were: parents keeping their children at home because they were embarrassed by them or believed that their

children could not accomplish anything because of the **child's disabilities**. Collecting sex disaggregated data, would help to determine the specific education needs of **girls and boys who are disabled or challenged**.

336. There has been an increased number of polyclinics as well as the construction, renovation, and expansion of other health care facilities. This has included the mental hospital and a geriatric hospital located on New Providence as well as a general hospital with comprehensive essential obstetric care capability located on Grand Bahama. With expanded polyclinics, maternal and child health clinics, and satellite clinics distributed at strategic locations throughout the islands, access to health care has improved.

Written replies to List of Issues

23. Please provide information on the access to mental health services for women and girls, including those in remote and rural areas. Please also describe services provided by the State party to elderly women. There are a number of facilities that provide access to mental health services for women and girls. These include:-

- i. Sandilands Rehabilitation Centre (SRC) that has four clinics (male, female, children and adolescents) at the Princess Margaret Hospital (PMH).
- ii. SRC also offers a large community based out-patient facility- the Community Counselling and Assessment Centre (CCAC).
- iii. Adolescent Health, Department of Public Health.
- iv. The Diah Ward (based at the Rand Memorial Hospital) and community health clinics in Grand Bahama. Mobile psychiatric teams visit Abaco and Bimini.
- v. In rural areas access is through community clinics, where persons are seen and treated by resident physician/nurse and referred to CCAC or SRC if necessary. Psychiatric teams from SRC also make regular visits to Long Island and Exuma.

Services are also provided for elderly women, who are able to access the same services, in most cases, like the general population. There are no specific services for elderly females. Sandilands Rehabilitation Centre (SRC) conducts a Gerontology clinic every Thursday morning at an inner city (Ann's Town Clinic), once per week and once per month at the Eastern District of New Providence (Fox Hill Clinic).

If there is any mental health issue, appropriate referral is made to the psychiatric team at one of their outpatient clinics. The same is the method for Family Islands; contact is made with the community clinics and appropriate referrals made. Also, the Government operates a day care centre and residential care centres for the elderly. Private day care and residential care centres are also available for a fee.

Reply to the issues raised in paragraph 28 of the list of issues

72. In the Bahamas, in excess of 65 per cent of the households are managed by women. In the aftermath of a disaster, such as a major hurricane or storm, an assessment is carried out and priority assistance is given as follows:

- (a) Elderly;
- (b) Disabled and Indigent;
- (c) Single parents with children.

IDA suggestions for list of issues

- What steps are being taken to repeal restrictions in the Constitution (Articles 42(1)(f) and 48(1)(e) which disqualifies from appointments as Senator or membership in the House of Assembly any person who is certified to be insane or otherwise adjudged to be of unsound mind; and Sections 8(3) and 10(2) of the Parliamentary Elections Act which disqualifies persons on the basis of actual or perceived mental disability from the right to vote and to participate in public affairs on an equal basis with others in violation of Article 29 of the CRPD, which comprises the latest international standards with respect to participation in political and public life of persons with disabilities including women with disabilities?
- What steps are being taken to incorporate into the Constitution an express prohibition of discrimination on the grounds of disability? (See recommendation of the CRC Committee, CRC/C/15/Add.210, 2003, para 29 in Annex below)
- What steps are being taken to reform the law to ensure that women with disabilities exercise legal capacity on an equal basis with others and are provided with necessary support to exercise it, respecting the will and preferences of the person concerned?
- What steps are being taken to adopt measures to ensure that the mental health policy requires all health care and services to be based on the free and informed consent of the person concerned and that involuntary treatment and confinement are not permitted by law?
- What steps are being taken to address the heightened risk for girls and women with disabilities of becoming victims of domestic violence and abuse? What measures are being adopted to ensure that both services and information for victims are made accessible to women and girls with disabilities?
- What services are in place to reach out and educate women and girls with disabilities about sexual and reproductive health, including STIs?
- What steps are being taken to implement an effective data collection system which is disaggregated by sex, age, disability and region, which can inform the development of policies and programmes to promote equal opportunities for women and girls with disabilities in society? (See recommendation of the CRC Committee, CRC/C/15/Add.210, 2003, paras 20, 21 in Annex below)
- What measures are being taken guarantee the implementation of inclusive education in the law and practice? Please provide statistics of the number of children with disabilities attending the following mainstream schools: primary school, middle school, highs school and the rate of success and completion of schooling. (See recommendation of the CRC Committee, CRC/C/15/Add.253, March 2005, para 46 in Annex below)
- What steps are being taken to accede to the Convention on the Rights of Persons with Disabilities?

ANNEX - References to women and girls with disabilities in Bahamas by other treaty bodies:

CRC Committee Concluding Observations, CRC/C/15/Add.253, March 2005

20. The Committee is concerned at the lack of disaggregated and analytical data on persons under the age of 18 years in all **areas** covered by the Convention, including the most vulnerable groups, children living in poverty, **children with disabilities** and immigrant children. It also notes that such data are crucial for the monitoring and evaluation of progress achieved and the formulation and assessment of policies with respect to children.

21. The Committee recommends that the State party establish an effective mechanism for the systematic collection of disaggregated quantitative and qualitative data incorporating all areas of the Convention and covering all persons under 18 years. Furthermore, the Committee recommends that the State party make use of indicators and data in the formulation and assessment of policies and programmes for the effective implementation of the Convention.

28. The Committee is concerned that societal discrimination persists against vulnerable groups of children; including children living in poverty, Haitian immigrant children and children with disabilities and that the Constitution does not prohibit discrimination on the grounds of **disability**.

29. The Committee recommends that the State party:

- (a) Strengthen, in the current process of reforming the Constitution, the existing provisions on non-discrimination and ensure observance of the principle of non-discrimination in full compliance with article 2 of the Convention;
- (b) Adopt further appropriate legislation (e.g. a separate law on non-discrimination);
- (c) Adopt a proactive and comprehensive strategy to eliminate discrimination on any grounds and against all vulnerable groups.

46. In the light of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96 of 20 December 1993, annex) and the Committee's recommendations adopted at its day of general discussion on the rights of children with disabilities (CRC/C/69, paras. 310-339), the Committee recommends that the State party ensure the integration of these children into mainstream education. In this respect, the State party should take into account the principle of non-discrimination and accessibility to all services, including public buildings and transportation, and specifically address the situation of children in less populated islands.