

## **CEDAW, 2026 – Sint Maarten**

### **Article 1**

#### **Prevention and Combating of Discrimination against Women**

Sint Maarten affirms its commitment to gender equality and non-discrimination through the integration of gender considerations into national laws, policies, and programmes, particularly within justice, health, education, and social services. These efforts are supported by inter-ministerial coordination and structured cooperation with civil society organizations active in women's rights and social inclusion.

Prior to 2010, equality was guaranteed under Article 3 of the Constitution of the Netherlands Antilles and reinforced by Article 95c of the Penal Code, which prohibited discrimination in political, economic, social, and cultural life. Following the dissolution of the Netherlands Antilles, Sint Maarten reaffirmed these principles in Article 16 of its Constitution, which guarantees equal treatment in equivalent circumstances and explicitly prohibits discrimination on any ground, including sex or gender.

### **Article 2**

#### **Policy**

Sint Maarten applies an increasingly intersectional approach to eliminating discrimination against women, recognizing the compounded impact of factors such as socioeconomic status, migration, age, disability, and family circumstances. While gender mainstreaming is not yet fully institutionalized, ongoing efforts focus on strengthening coordination, improving gender-sensitive data, and building institutional capacity.

A key policy priority is the prevention and response to domestic violence, child abuse, and gender-based violence (GBV). The Ministries of Justice and Public Health, Social Development and Labour (VSA) jointly oversee an integrated national policy addressing prevention, protection, prosecution, and coordination. Implementation involves multiple government entities, including Community Development, Family and Humanitarian Affairs (CDFHA), the Women's Desk, law enforcement, judicial institutions, and civil society partners such as Safe Haven and Dr. J's Foundation.

At the policy level, Social Development and Judicial Affairs lead legislative reform, monitoring, research, public awareness, and data collection for national and international reporting. At the operational level, CDFHA and the Women's Desk provide frontline services, including a 24/7 GBV hotline, case documentation, referrals, home visits, and coordination with child protection authorities.

Victim protection and access to justice have improved through multidisciplinary case consultations, trauma-informed approaches, specialized parental mediation, and increased training of frontline professionals. Preventive and empowerment initiatives include the Girl Power programme for adolescent girls, awareness-raising on domestic violence and human trafficking, and shelter and support services provided by Safe Haven.

Overall, progress has been made in awareness, coordination, and survivor-centred practices, while further efforts are needed to institutionalize gender mainstreaming, strengthen data systems, and ensure sustained implementation.

### **Article 3**

#### **Equal Human Rights and Freedoms**

The Government promotes an enabling environment for feminist activism and civil society participation, including consultations and partnerships with women's organizations. Freedom of expression and the right to organize are safeguarded, recognizing their role in advancing gender equality.

Sint Maarten is strengthening the collection and use of sex- and age-disaggregated data across justice, health, labour, child protection, and social services. This work is coordinated with the Department of Statistics and Kingdom-level partners and supports evidence-based policymaking and accountability, despite ongoing capacity limitations.

### **Article 4**

#### **Special Measures**

Special temporary measures are currently deemed unnecessary.

### **Article 5**

#### **Stereotypes and Harmful Practices**

Sint Maarten adopts a comprehensive, multisectoral approach to prevent and respond to domestic violence, GBV, and femicide, guided by the National Child Abuse, Domestic and Gender-Based Violence Policy (2021). Survivors access victim-centred services through Victim Support Services and Safe Haven, including shelter, psychosocial care, and legal assistance.

Ongoing training for police, justice officials, and social workers strengthens early risk identification and coordinated responses. Prevention efforts include public awareness campaigns such as the 16 Days of Activism, school-based programmes (Girl Power and Real

Talk), parenting education through Youth Health Care, and the annual observance of the International Day for the Elimination of Violence against Women.

## **Article 6**

### **Prostitution, Human Trafficking, and Smuggling**

Human trafficking is criminalized under Article 260 of the Penal Code and prohibited by the Constitution. Enforcement is led by the Ministry of Justice in coordination with police, immigration, labour inspection, prosecutors, and Kingdom partners.

Building on earlier reforms, the National Reporting Center (NRC) has been reinstated as the central coordination body and operates a 24/7 hotline. Public awareness initiatives, including the “See Something? Say Something!” campaign and observance of EU Anti-Trafficking Day, support prevention.

Victims have access to identification procedures, Victim Support Services, NGO assistance, and temporary residence permits. Training for frontline actors emphasizes victim-centred and trauma-informed approaches.

Despite these efforts, challenges remain. According to the U.S. TIP Reports (2024–2025), Sint Maarten remains Tier 3, reflecting gaps in victim identification, prosecution, shelter capacity, and implementation of a national action plan. Renewed commitments focus on strengthening investigations, expanding services, improving data collection, and fully operationalizing the NRC within a prevention-protection-prosecution-partnership framework.

## **Article 7**

### **Political and Public Life**

Women in Sint Maarten enjoy full political rights, including voting, standing for election, holding office, and participating in decision-making. Women currently hold approximately 27% of parliamentary seats and occupy ministerial, senior government, and High Council positions, including Prime Minister, President of Parliament, Ombudsman, and Vice President of the Council of Advice.

A women-led Parliamentary Caucus promotes gender-responsive legislation, and women regularly represent Sint Maarten in national, Kingdom, and international fora.

## **Article 8**

### **International Representation**

Women have equal opportunities to represent Sint Maarten internationally. Appointments are merit-based and non-discriminatory. Women serve regularly as representatives and experts, and women's organizations are consulted in the preparation of international human rights reports.

#### **Article 9**

##### **Nationality and Family Reunification**

Nationality falls under Kingdom competence and is governed by the Netherlands Nationality Act, which guarantees equal rights for women and men to acquire, retain, or change nationality and to transmit nationality to children. Marriage does not affect a woman's nationality.

Family reunification is assessed case by case, considering vulnerability and the best interests of the child. Temporary residence may be granted to prevent family separation. While capacity constraints remain, Sint Maarten continues to rely on Kingdom obligations and works toward more structured, rights-based solutions.

#### **Article 10**

##### **Education**

Girls and boys have equal access to free primary and secondary education, with increasing focus on retention and completion. Compulsory education was fully implemented by 2013–2014, supported by system reforms and improved student-teacher ratios.

The Community School programme provides after-school supervision and enrichment, benefiting children from vulnerable households. Access to secondary, vocational, and special needs education has expanded through NIPA, BOPP, and specialized facilities.

Targeted initiatives address teenage pregnancy and dropout prevention, including 'Baby Think It Over' and 'Girl Power'. Sports and youth programmes promote leadership and participation for girls. Tertiary education is accessed through Kingdom institutions and regional partnerships, with continued bachelor-level support.

#### **Article 11**

##### **Employment**

Labour legislation guarantees equal employment opportunities and prohibits discrimination. A major reform to the Civil Code in 2022 strengthened job security by limiting successive temporary contracts, extending maternity leave to 14 weeks, protecting against pregnancy-based discrimination, and criminalizing violations.

Women participate across sectors, including leadership roles. Challenges remain regarding senior management representation and sex-disaggregated labour data. Sexual harassment

complaints may be filed with the Ombudsman, Victim Support Services, or police, with ongoing policy discussions to strengthen protections.

Economic security is supported through a universal old-age pension (AOV), providing a fixed monthly benefit of Cg 1,407 in 2026, benefiting women with interrupted work histories.

## **Article 12**

### **Health and Family Planning**

Women have access to comprehensive maternal and reproductive health services through the Sint Maarten Medical Center and public and private clinics. Public health promotion includes breastfeeding, maternal education, and sexual and reproductive health awareness.

Abortion remains criminalized except to save the woman's life. The Ministry of VSA has developed a Sexual and Reproductive Health Policy addressing medical termination and continues to advocate for legislative reform.

## **Article 13**

### **Economic and Social Benefits**

Women participate actively in economic and social life and have equal access to social assistance, health insurance, childcare, and legal aid. Social assistance is provided based on income thresholds, complemented by counselling and crisis support through government-NGO cooperation.

Women's leadership is increasing in traditionally male-dominated sectors, including sports governance, reflected in female leadership of the St. Maarten Sports Federation.

## **Article 14**

### **Rural Women**

Not applicable.

## **Article 15**

### **Equality before the Law**

Legal equality between women and men is addressed under Articles 1 and 2.

## **Article 16**

### **Marriage and Family Life**

Post-2010 reforms to the Civil Code strengthened equality in marriage, divorce, parenthood, and family relations. Divorce law now allows either spouse to request dissolution based on irretrievable breakdown, eliminating fault-based requirements.

Parentage law reforms removed distinctions between children born in or out of wedlock, introduced judicial establishment of paternity, strengthened parental authority arrangements, and corrected gender discrimination in surname determination.

These reforms ensure substantive equality in family life, aligned with CEDAW and international human rights standards.