



Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women

List of issues and questions in relation to the combined fifth to ninth periodic reports of Saint Kitts and Nevis*

Constitutional and legislative framework

1. With reference to the previous recommendations of the Committee, adopted in 2002 (A/57/38, part two, para. 94), please provide information on the steps taken or envisaged to ensure the full incorporation of the Convention into domestic law and to guarantee that it is directly applicable in national courts. Please provide updated information on the status of the Domestic Violence Act of 2014 (CEDAW/C/KNA/5-9, paras. 27 and 56)¹ and efforts to enforce it. In accordance with the State party's obligations under articles 1 and 2 of the Convention and in line with target 5.1 of the Sustainable Development Goals, to end all forms of discrimination against all women and girls everywhere, please indicate whether any measures have been taken, or are envisaged, to adopt a comprehensive definition of discrimination against women that encompasses direct and indirect discrimination in the public and private spheres, including intersecting forms of discrimination.

Women's access to justice

2. Please provide information, including statistical data, on the measures taken to address the judicial bias, victim-blaming beliefs and gender stereotypes faced by women who are victims of gender-based violence, including rape and domestic violence, in the context of the justice system. Please describe the measures taken to ensure that gender-sensitive mechanisms are in place for women to file complaints and that steps are taken to provide capacity-building programmes to judges, prosecutors and other law enforcement officials on women's rights and gender equality and on gender-sensitive interviewing and evidence collection. Please also indicate how the State party is increasing awareness among women of their rights and of the legal remedies available to them under national law and the Optional Protocol to the Convention to raise complaints of gender-based violence and discrimination (A/57/38, part two, para. 105). Please describe measures taken to ensure that all reports of gender-based violence are properly investigated and that victims have access to reparation, including compensation, in line with article 1 of the Convention

* Adopted by the pre-sessional working group on 13 November 2020.

¹ Unless otherwise indicated, paragraph numbers refer to the combined fifth to ninth periodic reports of the State party.



and the Committee's general recommendation No. 35 (2017) on gender-based violence against women, updating general recommendation No. 19.

Impact of the pandemic on women's rights and gender equality

3. In line with the Committee's guidance note on the obligations of States parties to the Convention in the context of the coronavirus disease (COVID-19) pandemic, issued on 22 April 2020, please indicate the measures implemented by the State party: to redress long-standing inequalities between women and men by placing women at the centre of recovery as an economic diversification strategy; to meet the needs and uphold the rights of women and girls, including those belonging to disadvantaged and marginalized groups; and to ensure that, in the context of the measures taken to contain the pandemic and in post-crisis recovery plans, women and girls are not relegated to stereotypical gender roles. Please indicate the measures in place to ensure that all COVID-19 crisis response and recovery efforts: effectively address and seek to prevent gender-based violence against women and girls; guarantee the equal participation of women and girls in political and public life, decision-making, economic empowerment and service delivery; and are designed so that women and girls benefit equally from stimulus packages, including financial support for unpaid care roles, that are aimed at mitigating the socioeconomic impact of the pandemic. Please explain how the State party is ensuring that measures taken to contain the COVID-19 pandemic, such as restrictions on freedom of movement or physical distancing, do not limit access by women and girls, to justice, shelters, education, employment and health care, including sexual and reproductive health services.

National machinery for the advancement of women

4. Please provide information on measures taken to allocate adequate human, technical and financial resources to the Department of Gender Affairs and to ensure effective coordination with the multi-sector steering committee for the implementation of the national gender equality policy and action plan (para. 41). Please also provide updated information on the monitoring and evaluation framework and the reporting and impact assessment system for the effective implementation of the national gender equality policy and action plan, as well as the results achieved beyond December 2019. Please elaborate on the outcomes of the gender sensitization project and on the activities undertaken by the established focal points.

National human rights institution

5. Please indicate the progress made towards establishing a national human rights institution, in line with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles), with a strong mandate to promote and protect women's rights and gender equality.

Temporary special measures

6. According to the State party's report (para. 77), no temporary special measures are currently in place to increase the representation of women in political and public life, including in the National Assembly, the Cabinet, the judiciary and the police, in particular at decision-making levels, notwithstanding the Committee's previous recommendations (A/57/38, part two, para. 96). Please provide examples of temporary special measures, in line with article 4 (1) of the Convention and the Committee's general recommendation No. 25 (2004) on temporary special measures, adopted or envisaged by the State party to accelerate the achievement of substantive equality between women and men in areas in which women are disadvantaged or underrepresented, including for women with disabilities and rural women.

Discriminatory stereotypes

7. The Committee notes the implementation of awareness-raising programmes targeting men and boys to promote shared parental responsibility in the State party, including through the delivery of parenting programmes (para. 46). Please provide information on the impact of such programmes and on other measures taken, in cooperation with the media, to eliminate patriarchal attitudes and discriminatory stereotypes concerning the roles and responsibilities of women and men in the family and in society. Please also indicate measures taken to counter the growing perception that men are being discriminated against by the judicial system (para. 48), as well as to challenge patriarchal attitudes concerning male domination in the family.

Gender-based violence against women

8. Please provide information on measures taken to specifically criminalize all forms of gender-based violence against women and girls and to include a consent-based definition of rape, including marital rape, in the Criminal Code. Please indicate any steps taken to introduce the ex officio prosecution of offenders in domestic violence cases and to ensure their prosecution even upon withdrawal of a complaint, or in the absence of testimony, by the victim in court. Please describe the steps taken by the State party to ensure that cases of gender-based violence against women and girls are under no circumstances settled through mediation (para. 26). Please indicate measures taken to prosecute perpetrators of sexual abuse against girls and to enforce strict penalties for the acceptance of bribes for discontinuing criminal investigations or prosecution in such cases (para. 68).

9. Information before the Committee indicates high levels of underreporting of sexual and domestic violence in the State party due to fear of stigmatization, retribution, further violence or lack of trust in the criminal justice system. Please provide statistical data on prosecutions and convictions of perpetrators of gender-based violence against women, including femicide, in the past five years, disaggregated by the age of the victim, the relationship between the perpetrator and the victim, the type of sentence imposed and other relevant characteristics. Please explain how the State party ensures an enabling environment for women to report cases of gender-based violence and indicate whether the staff of the Special Victims Unit will be increased (para. 57) and adequately trained. Please also provide information on access for victims to medical treatment, psychosocial assistance, protection orders and forensic evidence. Please elaborate on the results of the implementation of the domestic and sexual violence complaints and response protocol and on the content and impact of the strategic plan on combating gender-based violence (paras. 56 and 62).

10. In its report, the State party indicated that there was no toll-free hotline operating around the clock for victims of domestic violence nor was there a shelter for victims of gender-based violence against women, and it explained that anonymity and safety could not be guaranteed on a small island (para. 59). Please provide information on the development of safe spaces and confidential, toll-free hotlines operating around the clock for victims of gender-based violence in the State party, in particular in Nevis, including for women with disabilities. Please also provide data on the number of housing units allocated to women who are survivors of gender-based violence by the National Housing Corporation (para. 149).

Trafficking and exploitation of prostitution

11. With reference to the Committee's general recommendation No. 38 (2020) on trafficking on women and girls in the context of global migration, please provide information on the steps taken to adopt a national action plan to combat trafficking in

persons, especially women and children, and to establish a coordinating body to oversee its implementation. Please also indicate the measures taken to strengthen data collection, provide support and reparations to victims and ensure the early identification of victims and their referral to relevant services. Please also provide information on capacity-building programmes for law enforcement officers to address the specific needs of girls who are victims of trafficking.

12. Please provide information on the prevalence of the exploitation of women and girls in prostitution and the measures in place to prevent it, as well as the support available to enable women to leave prostitution and pursue alternative livelihoods.

Participation in political and public life

13. In the report, the State party indicates that the representation of women in the federal Government of the State party is only 20 per cent (para. 74). Please describe the measures taken to implement the recommendations in the report of the Commonwealth on women and political parties in five small States of the Commonwealth Caribbean, issued in 2018 (para. 75), to address patronizing attitudes towards women parliamentarians, negative campaigning, limited economic resources and gender-biased infrastructure. Please also provide information on the impact of the implementation of the women in political leadership programme in Nevis in 2019 (para. 76).

Education

14. Please indicate any measures taken, beyond the teacher-training workshops on incorporating on use of techniques used in the areas of science, technology, engineering and mathematics (STEM), to promote the enrolment of women and girls in non-traditional fields of study, in particular in STEM and information and communications technology fields, and vocational training, at the secondary and tertiary levels of education (para. 97).

15. Please specify the measures taken to integrate age-appropriate education on sexual and reproductive health and rights into curricula at all levels of education. Please also indicate whether Project Viola and other projects referred to in the report (paras. 38–39) were extended beyond 2017 to continue raising awareness among adolescents in order to curb the high rates of early pregnancy in the State party and provide support to young mothers to continue their education. Please also inform the Committee of measures taken to guarantee accessible and inclusive education for women and girls with disabilities.

Employment

16. Please provide statistical data on the participation of women in the labour market, disaggregated by urban or rural location. Please provide additional information on measures taken to ensure equal access for women to formal employment and to leadership positions in the private sector. Please indicate measures taken to ensure social protection for women working in the informal economy, including maternity protection, paid sick leave, protection against work-related illnesses and pension benefits. Please describe the measures taken to enforce the Equal Pay Act of 2012 (para. 111), including through regular labour inspections, and measures taken to close the gender pay gap. Please also describe the steps taken to implement the observations of the Committee of Experts on the Application of Conventions and Recommendations of the International Labour Organization, adopted in 2016 and 2019, in relation to the lack of provisions in the Equal Pay Act explicitly guaranteeing the equal remuneration of women and men for work of equal value. Please indicate the progress made by the State party towards adopting a law to

prohibit sexual harassment in the workplace. Please also provide information on the specific measures taken to reduce the gender pay gap, with a view to eliminating it, in all sectors, whether or not they are regulated by statutes (para. 78).

Health

17. Please provide information on the measures taken to provide adequate resources to ensure that women have access to high-quality health-care services, including access to vaccinations relating to, and screening and treatment for, cervical cancer, in particular in rural areas. Please also provide information on the accessibility of health services for women and girls with disabilities and on the measures in place to ensure that no medical interventions are performed on them without their free, prior and informed consent in full.

18. Please describe the measures taken to ensure access for women and adolescent girls to family planning services, affordable modern forms of contraception and emergency contraception in the State party, without the requirement of parental consent (para. 119). Please also provide information on steps taken to legalize abortion in cases of incest and severe fetal impairment, in addition to in cases of rape and threats to the life or health of the pregnant woman, and to decriminalize it in all other cases, as well as to ensure access for women to safe abortion and post-abortion services.

Economic empowerment of women

19. Please provide information on measures taken to address the feminization of poverty, as illustrated in table 1 of the report of the State party, and reduce the disproportionate burden of unpaid care work placed on women. Please provide more detailed information on the measures, including temporary special measures and targeted programmes, taken to support and stimulate entrepreneurship among women and to promote their economic empowerment. In particular, please provide information on measures taken to improve access for women to bank loans, credit and microcredit, credit guarantee schemes, venture capital, markets, supply and value chains and other economic development opportunities.

Rural women

20. The State party indicated in its report that rural women had benefited from training in agroprocessing, entrepreneurship and agribusiness management (para. 158). Please provide detailed information on measures adopted to ensure access for rural women to justice, education, employment, health-care services and land ownership, in line with the Committee's general recommendation No. 34 (2016) on the rights of rural women. Please provide information on the impact of the measures taken to promote the equal participation of women in the development and implementation of rural and agricultural policies and related decision-making.

Climate change and disaster risk reduction

21. In view of the vulnerability of the State party to the adverse effects of climate change, please describe the steps taken to ensure that national policies and programmes on climate change contain gender perspectives, in line with the Committee's general recommendation No. 37 (2018) on the gender-related dimensions of disaster risk reduction in the context of climate change. Please provide detailed information on the implementation of the national disaster plan of 2013 and on plans adopted to ensure that, in the event of a natural disaster, the allocation of shelters will not put women at risk of sexual or gender-based violence. Please indicate the measures taken to ensure that women working in the tourism sector are eligible

for social protection in the event of natural disasters affecting their job security. Please also provide information on the involvement of women in the formulation and implementation of disaster risk reduction, post-disaster management and climate change policies and programmes.

Marriage and family relations

22. Please indicate the measures taken to reduce the length of child custody and alimony proceedings and to ensure that courts, considering the best interest of the child, take domestic violence into consideration when deciding on child custody and visitation rights. Please provide information on whether the definition of matrimonial property includes future earnings and pension benefits and explain whether unpaid domestic and care work and other non-financial contributions to the marriage are considered in the distribution of property following divorce or separation. Please indicate the measures taken to ensure parental rights for women with disabilities upon divorce on an equal basis with other women.
