



**Convention on the Elimination
of All Forms of Discrimination
against Women**

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**Committee on the Elimination of Discrimination
against Women**

Twenty-seventh session

Summary record of the 553rd meeting

Held at Headquarters, New York, on Wednesday, 5 June 2002, at 10.30 a.m.

Chairperson: Ms. Abaka

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The meeting was called to order at 10.55 a.m.

Consideration of reports submitted by States parties under article 18 of the Convention *(continued)*

Combined initial, second, third and fourth periodic reports of Saint Kitts and Nevis (CEDAW/C/KNA/1-4)

1. *At the invitation of the Chairperson, Mr. Herbert (Saint Kitts and Nevis) took a place at the Committee table.*

2. **Mr. Herbert** (Saint Kitts and Nevis) said that his country's ratification of the Convention in 1985 had been a declaration that Saint Kitts and Nevis was serious about gender equity and equality, and that the Government was determined that all citizens should participate in the country's social, political and cultural development. The national machinery for the advancement of women had first taken the form of the Ministry of Women's Affairs, established in 1984, which had evolved into the current Department of Gender Affairs. The National Plan on Gender and Development 1996-2000 addressed five of the 12 critical issues highlighted in the Beijing Platform for Action: violence against women and children, poverty, institutional mechanisms, health and leadership.

3. The Government had embraced gender mainstreaming as the most practical means of ensuring women's equal participation in national development. A National Advisory Council on Gender Equity and Equality had been established, and training had been provided to government officials and members of civil society with a view to sensitizing them to gender mainstreaming and the methodology for integrating a gender perspective in programme planning and implementation.

4. Although there had been tremendous progress in women's participation in various areas of development, a critical mass of women in decision-making positions and politics was still lacking. Only three women had been elected to political office in the nation's history, and no woman had ever been appointed ambassador. The Department of Gender Affairs was aware of the need for women to articulate their views at the highest levels, but the widely held perception that women should be the major contributors to the reproductive sphere limited their participation in the productive sphere.

5. Currently, Saint Kitts and Nevis was collaborating with Antigua and Barbuda and Guyana in a project sponsored by the Organization of American States which provided training and support for women political candidates. All political parties in the country had addressed the issue of gender parity, and the public sector was slowly beginning to reflect gender balance in its leadership.

6. Saint Kitts and Nevis had achieved greater success in addressing violence against women and children than in any other area of the National Plan on Gender and Development. The criminalization of domestic violence was a major indication that the Government viewed such violence as a serious issue and was determined to eliminate it. The Department of Gender Affairs had used the mass media to spread the message that violence against women was a criminal act that would not be tolerated. Gender-based violence awareness courses were part of the curriculum of the Police Training School.

7. In the field of education, enrolment statistics for 2001 indicated that, with the exception of primary school, there were more women than men enrolled in school; 61 per cent of third-level students were women. In the past, many school principals had denied teenage mothers the right to return to school, but that discriminatory policy had been challenged and a new policy affirming the right of pregnant teens to education had been announced. Currently, non-governmental organizations (NGOs) were actively involved in providing support to teenage mothers through Project Viola.

8. The Ministry of Health had made major efforts to bring the maternal death rate down and to provide a health-care programme for women that included free pre- and post-natal care and screenings for breast and cervical cancers. About one quarter of all babies were born to teenage mothers. Abortion was illegal, but women who could find the money could still procure an abortion.

9. The Constitution stipulated equality before the law for men and women, including equal access to credit and the courts, including pro bono legal services. Women had the right to apply for a passport and travel freely.

10. Although women outperformed men at all educational levels, that achievement had not benefited them economically. Women continued to be

concentrated in the lowest-paying jobs, and many bore sole responsibility for the care of their children. A number of programmes sought to improve women's earning power and provide access to small business loans. The Government was aware that women's success in the productive sphere depended on how well they were able to play their role as mothers. Consequently it had established a modern day-care centre with subsidized fees at the country's major industrial estate. Of the 30 per cent of the population living in poverty, 56 per cent were women, and thus a gender approach was part of the poverty reduction strategy.

11. In an effort to raise men's awareness of their role as nurturers of children and thus facilitate the mainstreaming of the gender perspective in the domestic sphere, a parenting programme for fathers, father support groups and a National Fathers Association had been started.

Article 1

12. **Ms. Regazzoli** said that although Saint Kitts and Nevis was a tiny country, it played an important and commendable role in international relations in Latin America and the Caribbean. It was therefore to be hoped that women would be represented in greater numbers in government and in international leadership roles. The country had made important strides in introducing the concept of gender into government and had taken the significant step of ratifying the Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women. It had also made advances in eliminating cultural stereotypes through education and in improving health indicators. Nevertheless the Committee was troubled by the high incidence of teenage pregnancies and abortion.

13. The delegation had made no mention of the catastrophic effect of the hurricanes that periodically ravaged the country.

14. **Ms. Shin** said that she was heartened by the commitment of Saint Kitts and Nevis to the ideals enshrined in the Convention, and applauded the many steps the country had taken in recent years to realize those ideals, in particular the creation of the national women's machinery. She expected that the fifth periodic report would contain more updated material and hoped that the Government would involve NGOs

in the preparation of that report, which had in fact been due in April 2002.

15. She wished to know whether the Government had taken steps to ratify the Optional Protocol to the Convention and to accept the amendment to article 20, paragraph 1, of the Convention.

16. **Ms. Kapalata** said that she was impressed by various law reforms undertaken by the State party, in particular the employment protection afforded to female civil servants who became pregnant on the job. It would be useful to know how such reforms had been achieved.

17. **Mr. Melander** enquired whether the recent progress in the area of women's rights had been inspired by the Convention, and whether the people of Saint Kitts and Nevis were aware of the existence of that instrument and of the Convention on the Rights of the Child. Noting that educational activities that focused on preventing violence against women had been undertaken, he wondered if similar efforts had been made in the broader field of human rights. Lastly, he would like to know whether international human rights instruments could be directly invoked before the courts and other authorities, or whether they were simply used to interpret domestic law.

18. **Ms. Tavares da Silva** commended the State party on its comprehensive and pioneering national women's machinery. She wished to know what the function of the Inter-Ministerial Committee for Gender and Development was, how its work was coordinated with the work of other bodies and whether its members were in fact ministers or at a lower level of government. It would also be useful to know the composition and functions of the National Council on Women. Lastly, she enquired whether a plan of action had been implemented and evaluated, and whether a new plan had been formulated.

19. **Ms. Gaspard** enquired about the causes of the recent wave of emigration towards the United States of America and asked what percentage of those emigrating were women.

20. **The Chairperson** encouraged Saint Kitts and Nevis to consult the Committee's general recommendations in its implementation of the Convention.

Article 2

21. **Ms. Schöpp-Schilling** asked whether Saint Kitts and Nevis was contemplating the formulation of a new maintenance law, since the current law, despite amendments, was outdated. Women should not be obliged to seek maintenance; it should be the role of the Government to pursue former spouses who reneged on their responsibilities.

22. It would also be useful to know whether the State party intended to introduce an egalitarian system for the taking of names by spouses. Could a husband currently choose to assume his wife's name rather than the reverse? Legislation was also necessary to regulate de facto unions: although a surviving partner had the status of a widow or widower, there were insufficient regulations for the division of property, for example.

Article 3

23. **Ms. Livingstone Raday** pointed out that it was essential for girls to devote their teenage years to self-development and education. She therefore wished to know what measures were being taken to prevent teenage pregnancy and whether teenage girls were being offered viable alternatives to motherhood. She welcomed the fact that the Criminal Law (Amendment) Act sought to protect girls under the age of 16 rather than 14 from carnal knowledge. It would be useful to know how many men had been prosecuted for having sexual relations with girls under the age of 16 and what steps were being taken to prevent men from abusing teenage girls and thereby thwarting their development.

24. **Ms. Achmad**, noting that the Law Reform (Miscellaneous provisions) Act prohibited reporting or broadcasting matters which could lead to the identification of defendants in sexual offence cases, enquired how the Government maintained relations with the media while at the same time limiting its freedoms. If it had succeeded in teaching the press about such issues as gender equality, how had it done so? It would be useful to know what the relationship between the Government and the media was and whether the Government had conducted training for members of the media.

Article 4

25. **Ms. Schöpp-Schilling** said she found it interesting that the State party seemed to consider the national women's machinery a temporary special

measure. She enquired whether Saint Kitts and Nevis had established an official policy to accelerate the promotion of women in the civil service. Noting that there were many women who belonged to trade unions but few who held decision-making positions, she asked whether the Government was taking steps to encourage the promotion of women in trade unions as well. She welcomed efforts to achieve higher political representation by women and asked whether the Government was exploring ways of encouraging political parties to establish quota systems for candidatures.

26. **Ms. Gaspard** said that there were two means of increasing the number of women in public office: requiring political parties to propose more women candidates and establishing temporary special measures under article 4, paragraph 1, of the Convention. She would like to know whether the Government contemplated following either of those approaches.

Article 5

27. **Ms. Corti** said that Saint Kitts and Nevis had made a substantial effort for such a small country, yet it still had a very patriarchal society. The report itself pointed out that even though a series of statutory and institutional provisions were in place to protect women and children, the law-enforcement agencies were handicapped by traditional social practices, such as women's unwillingness to testify against their spouses or partners in abuse cases and the tendency of families to dissuade women from testifying in cases of incest and molestation. Similarly, despite efforts to promote gender policies and improve the status of women, rates of domestic violence were high, indicating that more needed to be done. She was surprised by the fact that physically and sexually abused children and neglected children were overwhelmingly girls and asked for an explanation of that phenomenon. She was disappointed at the absence of shelters for women victims of domestic violence and asked what the "safe rooms" in private establishments, mentioned in paragraph 69 of the report, were. More legal and educational action needed to be taken to confront domestic violence, particularly since Saint Kitts and Nevis was otherwise so active in promoting equality and implementing the Convention.

28. **Ms. Shin** welcomed the introduction of the Domestic Violence Act and asked whether it allowed for violence to be reported by persons other than

victims. She also wished to know how the “safe rooms” for victims were run; caring for victims was an area in which the Government and NGOs could share responsibility. A hotline for reporting violence should be set up and advertised. Most of all, changing people’s attitudes was essential: aggressors needed to be taught to respect women’s human rights and to see women as equals. That was another area in which the Government and NGOs could share responsibility, with the former training law enforcement officials and providing project funding and the latter assisting victims and helping to change societal attitudes.

29. **The Chairperson**, speaking in her personal capacity, asked what contributed to women victims’ reluctance to testify against spouses and husbands, and whether there might be a cultural explanation. With regard to the disturbing case of families who dissuaded such victims from testifying in instances of incest and molestation, she wished to know whether the families were considered to be aiding and abetting crime.

30. **Ms. Regazzoli** said that the report had mentioned training on gender-based violence and rape for Drug Squad officers, but contained no details of the drug trade itself. She wondered whether the persistently high rate of domestic violence in the country could be explained not just by traditional male behaviour, but also by drug use and alcoholism. Treatment needed to focus on perpetrators as well as victims, since that was the only way of breaking the cycle of violence and tackling the danger that boys might imitate the behaviour of men in their families.

Article 6

31. **Ms. Corti** expressed surprise that, according to the report, prostitution, besides being illegal, had never been detected; it seemed unlikely that it could be non-existent. She was also surprised at the absence of legislation to prevent trafficking in women and girls and the assertion that no such activity had been observed in Saint Kitts and Nevis. She agreed that the country’s increasing reliance on tourism made it vital to contemplate legislation that would provide protection to women and girls. She asked whether any attempt had been made to break down emigration figures by motive and by gender, to see if sex tourism or prostitution were involved. No country, let alone a developing country, was outside the reach of those engaged in organized trafficking and exploitation. She asked if any plans had been made since the report had

been issued to use legal measures to increase protection, especially since United Nations and Convention documents that dealt with that issue always included references to trafficking and exploitation.

32. **Ms. Regazzoli**, echoing Ms. Corti’s comments, agreed that the drug trade and prostitution were flourishing not just in developed countries but also in developing countries, and were frequently associated with an increase in tourism. She asked if the population drift towards other Caribbean islands and the United States could be driven by exploitation, and wondered whether paedophilia, which was increasingly being uncovered elsewhere, had been detected in Saint Kitts and Nevis.

33. **Ms. Achmad**, referring to the report’s assertion that there had been a marked improvement in the collection by the police of data on domestic violence, asked whether there was any obligation on hospitals to furnish statistics. Victims were likely to go to emergency departments before they went to the police, and medical staff should be given the opportunity to determine whether injuries were caused by an accident or by domestic violence. She also wondered to what extent the statistics collected were disaggregated by gender.

Article 7

34. **Ms. Tavares da Silva** said that she was puzzled: while the report indicated that women participated actively in political life because they voted in higher numbers than men, it also said that women were underrepresented in decision-making positions. She asked what steps were being taken to redress that imbalance.

35. **Ms. Schöpp-Schilling** asked if there was any institutional funding from the Ministry of Health, Labour and Women’s Affairs for the National Women’s Council or for activities such as awareness-raising and research projects.

36. **Ms. Achmad**, referring to the report’s conclusion that family support networks for women were breaking down, asked whether it had fallen to older women to provide assistance. The report had stated that the Ministry of Health, Labour and Women’s Affairs had given women training in home maintenance and other traditionally male-dominated activities (para. 65). While that did counter gender stereotyping, she was concerned that unless men were also encouraged to

take on traditionally female-dominated activities, women would be left with the double burden of practising new trades while still having to attend to domestic responsibilities.

37. The fact that the reference to workshops on parenting skills had been included in the report under the heading “Health Education” suggested that a subject with very wide implications was being given too narrow an interpretation.

38. **The Chairperson**, speaking in her personal capacity, said that the aggressive nature of politics was an obstacle to the participation of women, who felt uncomfortable in such an environment. She wondered in that regard whether the country’s Electoral Commission had put in place any programmes to change the nature of political campaigns.

39. **Ms. Regazzoli** requested information on the structure of local governments and wondered whether any other women, apart from the woman mentioned in paragraph 28 of the report, participated in local government. She asked whether the Government had given any thought to drafting legislation that would establish quotas that would enable women to accede to decision-making positions. It was not enough for women to form part of the final list; the Government should ensure that there were at least 30 to 50 per cent women in Parliament and various ministerial posts.

40. **Ms. Shin** endorsed the Chairperson’s remarks and asked whether the Government had given any thought to changing the political system to make it fairer for women, who were often in a weaker position as far as the mobilization of funds and the establishment of political networks were concerned.

Article 10

41. **Ms. Kwaku**, noting that education was a fundamental human right, expressed concern over teenage pregnancies, which caused many young girls to drop out of school, and suggested that the Government should place more emphasis on preventing such pregnancies.

42. **Ms. Schöpp-Schilling** said that, by considering nursery and infant schools under article 10, the Government recognized the educational rather than just the care-taking dimensions of those institutions. She wondered whether the Government had studied the actual demand for nursery schools. Since the expansion

of such schools in recent years had been mostly in the private sector, where fees were much higher than in the public sector, she suggested that the Government should undertake a comparative study on the quality of nursery schools in both the private and public sectors in order to ward off any danger of segregation of children based on their parents’ level of income. In any case, the Government should explore the possibility of allocating more resources to and expanding such institutions as more and more women entered the workplace. She would appreciate any figures on the percentage of children from female-headed households in those institutions.

Article 11

43. **Ms. Tavares da Silva** asked for information on women holding management level and decision-making positions as well as on the wide gap between women’s and men’s salaries. Information should also be provided on the stereotyping of men’s and women’s roles.

44. **Ms. Livingstone Raday** asked for figures on management positions occupied by women in the private and public sectors correlated with the women’s level of education. While she welcomed the network of subsidized day-care centres established by the Government, she still did not believe that that measure would be sufficient to overcome women’s disadvantage in the workforce. She wondered whether there was a legal and administrative framework for preventing employers in both the private and public sectors from discriminating against women.

45. She wished to know whether there was any mechanism to ensure that women received equal pay for work of equal value. She also wondered whether the 13-week maternity leave was paid. If so, was it the employer or the employee’s health insurance that covered the costs? She asked whether any men were employed in the free-trade zone, and whether women employees enjoyed employment protection similar to that of other employees in Saint Kitts and Nevis. She would also appreciate any information on pension schemes, especially for older women.

46. **The Chairperson** said that the 13 weeks of maternity leave, which she hoped was paid, seemed to be rather short. She asked whether there were any facilities for nursing mothers who had to return to the workplace soon after the birth of their child.

47. **Ms. González** asked for information on unemployment insurance.

48. **Ms. Schöpp-Schilling** said that the information provided under article 11 was inadequate and asked whether the delegation could provide additional information either during the current session or in its next periodic report. Turning to statistics on economic activity, she wondered whether the category “employed” covered self-employed persons, including farmers and members of their families who worked on the farms. She would appreciate statistics on men and women employed in the informal sector and wished to know how the Government defined a part-time worker. She wondered whether the Government had put in place any programmes to promote homemakers’ access to employment on the formal labour market whenever they decided to return to it. The delegation should provide information on poverty alleviation programmes and the effect of the declining sugar industry on women, specifically the efforts being made to retrain women. It should also provide information on the privileges granted by the Government to investors in the free-trade zone, particularly in the area of labour policy. For instance, was unionization allowed? What labour protection laws were there to ensure that women, who made up the bulk of the labour force in the zone, were protected when or if they became pregnant? She wondered whether there was a code of ethics for investors. Lastly, she would appreciate information on any differences in pay and on the unionization of hotel staff.

The meeting rose at 1 p.m.