



**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 563rd meeting

Held at Headquarters, New York, on Thursday, 13 June 2002, at 10 a.m.

Chairperson: Ms. Abaka

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The meeting was called to order at 10.20 a.m.

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

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

1. *At the invitation of the Chairperson, Ms. Charles-Gumbs and Ms. Martin (Saint Kitts and Nevis) took places at the Committee table.*

2. **The Chairperson** invited the delegation of Saint Kitts and Nevis to reply to the questions raised by members of the Committee.

3. **Ms. Charles-Gumbs** (Saint Kitts and Nevis) said that several workshops had been held in the islands to raise awareness in the private and public sectors and civil society about the Convention, including a regional workshop for heads of women's bureaux and representatives of legal departments. In 2001, as part of the International Women's Day celebration, a three-day conference had been held to teach the public about the reporting process and provide information about what Saint Kitts and Nevis had done to implement specific articles of the Convention. The recommendations that had emerged from that workshop were related to equal pay for work of equal value and sexual harassment. Such efforts must continue, since many people were still unaware of the existence of the Convention or under the misapprehension that it was assisting only women.

4. The Ministry of Social Development, Community and Gender Affairs, which was responsible for the implementation of the Convention on the Rights of the Child, the Convention on the Elimination of All Forms of Discrimination against Women, and the Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women (Convention of Belem do Pará), had conducted several educational awareness activities with respect to those instruments. In addition, Ministry officials taught human rights workshops for schools, parent-teacher associations, and police officers.

5. The Convention was not applicable in the courts of Saint Kitts and Nevis. The Convention of Belem do Pará, however, could be directly invoked. In addition, the Supreme Court of the Organization of East

Caribbean States (OECS) was conducting a project for judges which addressed the use of human rights instruments in law reform and court proceedings, and focused on the human rights of women and girls.

6. The Inter-Ministerial Committee for Gender and Development supported gender mainstreaming and equality activities at all levels of Government and was chaired by the Ministry of Social Development, Community and Gender Affairs. It facilitated decentralization planning, and implementation and monitoring of gender and development policies; ensured that gender impact studies preceded all policy decisions; promoted coordination and cooperation to ensure gender mainstreaming in all policy-making processes; and ensured that staff were trained to design and analyse data from a gender perspective.

7. The National Advisory Council on Gender Equity was composed of men and women from various sectors of society, including education, health, the media, legal affairs, commerce, churches, and the environment, as well as from non-governmental organizations. Its role was to advise the National Women's Machinery on critical social issues and their effects on women and men.

8. The Gender and Development Plan 1996-2000 had been extended to 2006. Although no formal evaluation had occurred, informal assessments indicated that several factors had hindered its success. The Ministry of Social Development, Community and Gender Affairs was eager to correct those shortcomings, especially in the areas of poverty, leadership and decision-making. It also intended to tackle the area of public awareness.

9. Persons who migrated from Saint Kitts and Nevis usually went to such nearby islands as Saint Martin, the Virgin Islands, Puerto Rico and Anguilla; many, however, migrated to the United States. It was believed that more women than men were leaving the country, because women heads of households were seeking better lives for themselves and their children. Some women who migrated left children behind in the care of grandparents, siblings or other family members who might not have the needed skills to nurture them.

10. Saint Kitts and Nevis had no shelters for victims of domestic abuse because, as a small country, it could not ensure the victims' safety and at the same time allow them to lead normal lives. The law, however, provided for protection and occupancy orders.

11. The Law Reform (Miscellaneous Provisions) Act of 1992, which empowered magistrates to use their discretion in establishing maintenance payments, took precedence over the 1887 maintenance law.

12. There was nothing in the legislation of Saint Kitts and Nevis to prevent a man from taking his wife's name. Name changes were not regulated by law. The issue of de facto unions was a controversial one that would have to be debated in Parliament. The Ministry of Social Development, Community and Gender Affairs acknowledged the disadvantages inherent in such unions, and would continue to raise the matter with the Ministry of Justice and Legal Affairs. Significantly, Saint Kitts and Nevis was engaged in a process of law reform with the Organization of East Caribbean States (OECS) which should facilitate change in that important area.

13. With a view to discouraging teenage pregnancy, the Ministry of Education had introduced a sex education component into high school health and family education courses. A national task force had been established to formulate policy, raise public awareness, and oversee curriculum development. All high schools also had career guidance departments, which helped young people to set goals and to make career plans. In addition, a "white ribbon" club, formed by an HIV/AIDS-related non-governmental organization, encouraged school children to choose and advocate abstinence. Several faith-based organizations provided sexuality education for young people.

14. Preventive programmes conducted by the Department of Gender Affairs included empowerment training and high school transitional programmes to help teenagers adjust to adult life. In addition, the Young Leaders Club, a regional programme, focused on such themes as volunteerism, environmental protection, and HIV/AIDS, and encouraged young people to become advocates.

15. Although statistics on the number of prosecutions and convictions for unlawful carnal knowledge were not currently available, that information would be included in the next report. Sentences for unlawful carnal knowledge ranged from fines of several thousand dollars to a sentence of 15 years in prison.

16. The Ministry of Social Development, Community and Gender Affairs had a very good relationship with the press, and a press officer was assigned to cover news stories related to its work. Recently, two radio

stations had offered to run weekly gender-awareness programmes. The Ministry was aware of the need to raise public awareness, and invited the press to all its programmes and activities. Moreover, it had sent four members of the media to participate in training sessions in the British Virgin Islands on the role of the media in promoting the Convention and on the importance of sensitive reporting on such issues as violence against women and children.

17. Saint Kitts and Nevis had no official policy to accelerate women's promotion to decision-making posts in the civil service. The Ministry hoped, however, that its women's leadership programme would help to place that issue on the agenda. The Ministry had held discussions and workshops with both trade unions to encourage them to put women in management positions. There were, however, already women leaders in both unions. Although the Government party had a gender parity policy, it had taken no steps to encourage other political parties to follow suit. A constitutional review was currently under way; constitutional amendments required a two-thirds majority vote by the electorate. Two of the three women currently serving in Parliament had been elected; the third was deputy speaker, an appointed position. There was no official policy to accelerate the equality of women.

18. The traditional taboo against homosexuality was responsible for the higher incidence of abuse of girls than of boys. Moreover, female children were more often neglected and abandoned by parents because girls were considered to be more vulnerable than boys.

19. Safe homes were private residences that made rooms available on a short-term basis for women fleeing abuse. In extreme cases, the Department of Gender Affairs obtained private hotel rooms for such women.

20. Saint Kitts and Nevis had collaborated with other OECS States in the formulation of an education reform bill that addressed the matter of school violence, which was believed to be a precursor to adult violence. The new health and family education policy would also address the issues of life skills, violence, anger management, peer pressure and conflict resolution. Any person could report violence to the police. Although it was mandatory for frontline staff to report cases of abuse or suspected abuse of children, it was not mandatory for such staff to report cases of violence against women.

21. The Department of Gender Affairs had organized two programmes, scheduled for late 2002, aimed at changing men's attitudes toward women.

22. The Ministry of Social Development, Community and Gender Affairs made a practice of collaborating with non-governmental organizations, and would endeavour to ensure an ongoing collaboration on issues affecting women.

23. There were several reasons for women's refusal to testify before the courts, including economic and emotional dependency and the unwritten code of family loyalty. Under domestic violence legislation, family members who attempted to prevent other family members from testifying could be charged for coercion; thus far, no charges had been brought under the relevant provisions.

24. Although there were no available data correlating drug and alcohol use with violence in Saint Kitts and Nevis, the Government recognized that such a connection existed. The National Counselling and Substance Abuse Centre provided counselling to substance abusers. Furthermore, the courts had recently begun to request evaluation and counselling in cases involving substance abuse.

25. Prostitution was illegal in Saint Kitts and Nevis. In 2000, as the result of an HIV/AIDS study, it had been discovered that some women in Saint Kitts and Nevis were taking part in transactional sex. In addition, a group of female migrants from another Caribbean island was reportedly engaging in prostitution. Police officers, however, claimed to have difficulty apprehending persons offering sexual services, probably because of the secret, small-scale nature of the enterprise.

26. There was no legislation to prohibit trafficking in women and girls, and no evidence that such trafficking existed. Tourism, however, was one of the islands' principal sources of income, and certain ills accompanied that industry. Although there was no clear link between prostitution and tourism, taxi drivers reported that tourists asked them where they could obtain sexual services.

27. Paedophilia existed in Saint Kitts and Nevis, but was rare.

28. Records of all cases of abuse treated by the hospitals were preserved. Statistical data were collected, stored and disaggregated by the Health

Information Unit. Although it was not obligatory to disaggregate statistics on the basis of sex, certain departments and ministries did so.

29. It had been pointed out that paragraphs 81 and 82 of the report were contradictory: the fact that more women than men had voted in the 1993 elections should mean that more women were candidates in the general elections. Traditional female stereotypes held that women were good at organizing and fundraising, and should support the efforts of men. In addition, women often criticized other women for their interest in politics. Although they were actively engaged in political parties, women were often reluctant to become electoral candidates. In 1995, two of the three parliamentary positions chosen by nomination had gone to women. In 2000, one woman had been elected and another nominated at the national level, and one elected at the local level.

30. Empowerment exercises and leadership training had, to some extent, prepared women for leadership. Training was necessary, however, in the areas of governance, democracy and constitutional matters. The Government was cooperating with Antigua and Barbuda and Guyana in a women's political leadership project, funded by the Organization of American States (OAS).

31. Although there were no specific budgetary allocations for the National Council on Women, it would be able to access funds from the women's political leadership project to support candidates in the next election.

32. Members of extended families and members of the church provided support to women heads of households. Grandparents and great-grandparents often had jobs and led active lives and older siblings were expected to share the household responsibilities. Men were expected to take responsibility for their families. Although men had equal access to educational opportunities, they were clearly not taking advantage of them; they also had access to parenting and skills training programmes. Skills training programmes were also offered in the prison, where 90 per cent of the population was male.

33. The Ministry was offering training to both women and men in such areas as tiling, plumbing, information technology, parenting, and relationship skills.

34. There was currently no programme to eliminate political mud-slinging.

35. The local assembly consisted of five elected representatives and three nominees. The party holding the greatest number of seats formed the local government.

36. Jean Harris, an elected member of the Nevis Island Assembly, also held the title of Minister for Health and Community Affairs.

37. The Parliament of Saint Kitts and Nevis was based on the Westminster model. Elections were scheduled every five years and the party winning the largest number of seats formed the Government. More women had moved into government positions over the previous five years, but nothing in particular had been done to facilitate that process. While it was hardly likely to occur, there was a possibility that quotas could be formulated for women to engage in decision-making, particularly with respect to nominated positions. The political environment, however, was a serious deterrent for women to participate in the political process. There were no plans to change the political system in Saint Kitts and Nevis.

38. In response to questions raised under article 10, she said that the problem of teenage pregnancy was of concern to government departments and their social partners. Consequently, empowerment programmes had been developed to deal with the social issues which led to the breakdown of the family structure.

39. With reference to the demand for day care, the Ministry of Education, in collaboration with the Basic Needs Trust Fund, had analysed the demand for day care and pre-schools. In addition, a 2001 poverty assessment survey had highlighted a need for more pre-schools in rural areas. A comparison had been made between public and private day-care facilities, showing that government-owned centres were usually better laid out and less costly because they were subsidized. Furthermore, the Government had embarked on a programme to upgrade older centres. Current data on government-run centres had not been categorized in a manner that would indicate whether children attending such centres were from households headed by women. Preference for admission to those centres was granted to children from low-income families.

40. **Ms. Martin** (Saint Kitts and Nevis), responding to questions posed by the Committee with respect to

article 11, said that, with the exception of permanent secretary posts, women were underrepresented in decision-making positions. As regards the wage differential, she said that women received equal remuneration for equal work, but women were largely employed in the lowest wage sectors of the economy. New legislation had been drafted to guarantee equal pay for work of equal value, equal opportunity in employment and protection against sexual harassment in the workplace. Gender-based discrimination in the workplace was governed by section 11 (d) of the 1986 Protection of Employment Act No. 6 and section 5 of the Constitution.

41. In terms of stereotyping, women had made great progress in gaining access to the means of advancement but much remained to be done with respect to the portrayal of women. It was encouraging to note that men were beginning to publicly express their views demanding greater respect for women.

42. Universal access to secondary education had been instituted in 1967, entitling every child 12 years and over to free secondary education. In addition, there were 107 women studying abroad on government scholarships or grants.

43. In response to the question on payment during maternity leave, she explained that under the social security scheme 65 per cent of wages were paid to qualified employees while employers were encouraged to pay the remaining 35 per cent. The Government and several private sector employers paid 35 per cent to their employees. There were no facilities offered for women to breastfeed at the workplace.

44. Similarly, there were no unemployment insurance schemes. Severance payments were made in certain cases of redundancy, and pensions were available through various schemes administered by the Social Security Board.

45. Further statistics on self-employed persons would be provided to the Committee in the next periodic report. In 2000 the social security scheme had extended its coverage to include self-employed workers. Except for handicrafts and vending, women dominated the informal sector but specific data were not currently available. There were also no statistics available on part-time workers, nor had there been an analysis of programmes designed for home makers who wished to enter the formal labour market.

46. The Ministry of Social Development, Community and Gender Affairs, in collaboration with the United Nations Economic Commission for Latin America and the Caribbean, the United Nations Development Programme and the Caribbean Development Bank, was developing a poverty reduction strategy using the national human development agenda as a long-term social policy and planning framework, encouraging ownership by all stakeholders. The objectives of that approach were to develop increased capacity for leadership and empowerment at the community level, to influence the direction of public policy and to integrate social, economic and environmental development into the human development strategy.

47. Many women who were also breadwinners and had formerly been employed in field work would require income-generating skills in order to counteract the effects of the declining sugar industry. Underemployment and unemployment of women were anticipated and the results of a social audit of the full impact would be included in the next periodic report.

48. Employers establishing businesses in the Free Trade Zone were offered incentives, including tax breaks, import duty exemption, and permission to repatriate profits, dividends and imported capital. Businesses established in the Free Trade Zone were required to adhere to the code of ethics and standards outlined in the labour codes. Out of 732 single persons working in the Zone, 692 were women. With specific reference to a question on the unionization of hotel staff, she said that all persons employed in Saint Kitts and Nevis had a right to join unions.

49. Turning to article 12, she said the Government did not regard the issue of abortion as a problem. The statement on the Pan American Health Organization study on the Caribbean, contained in paragraph 137 of the periodic report, did not reflect the situation in Saint Kitts and Nevis. Although abortion was illegal in Saint Kitts and Nevis, exceptions were made in certain instances. Social assistance and family planning services, including counselling, pregnancy testing, contraception and youth empowerment activities, were provided in local health centres free of cost to adolescents and the public at large. The health and family life education curriculum in high schools included a unit on contraception and sex education. In addition, the United Nations Population Fund published posters and other material aimed at encouraging young persons to postpone parenting.

50. Men were involved to a lesser extent than women in family planning. Vasectomies were viewed with suspicion and some men were hesitant to use condoms. However, through growing awareness about HIV/AIDS, men were increasingly inclined to use them. Neither women nor men were required to have the consent of their partners to undergo sterilization procedures.

51. Turning to the request for information on care for disabled and elderly women, she said the home health-care programme provided daily care for 397 elderly persons, 70.52 per cent of whom were women. Furthermore, a number of medical and nutrition services were offered through the social assistance programme. One State-run home for elderly persons was operational and the ministry responsible for social affairs had recently received a new facility which was expected to be opened shortly. To date, there were no residential facilities for disabled women, who could however receive social assistance.

52. Information on drugs, substance abuse, and mental health and women would be provided in the next report to the Committee.

53. In terms of survivor benefits, under article 13, she said that the Social Security Board provided such benefits in the event of the death of a spouse or partner in a de facto union, provided that the couple had cohabited for a minimum of three years before the death of the partner.

54. Admittedly, there was a need for more public information on how women could apply for credit. Banks did not require the signature of a man whose wife was applying for a loan, except in cases where collateral was in the name of both partners.

55. Providing clarification on paragraphs 148 to 151 referring to article 15, she said that the court system tended to grant greater protection to women than men. For example, men who were accused of child abuse might be more vigorously prosecuted than women. Greater emphasis was placed on providing counselling to women facing similar charges. The courts were reluctant to separate mothers from their dependent children.

56. While no specific data on the extent to which women exercised their right of recourse in court were available, it was felt that women were just as likely to

be litigants as men. Women had the freedom to decide their domicile.

57. Addressing the issue of lengthy court processes which had also been raised under article 4, she said that the court system was not in any way predicated on gender. Under the new system of Civil Procedure established in 2001, masters were appointed in the High Court to deal with all civil matters at the interlocutory level and to ensure that all matters were worthy of trial. That step was expected to significantly reduce the number of matters that were eventually tried and eliminate many of the delays which had previously plagued the system and which affected men and women equally. A judicial and legal reform project was expected to review the court systems in order to improve efficiency.

58. As regards pro bono services, she said there was currently no official provision for legal aid services except in the case of capital offences. The Ministry of Social Development, Community and Gender Affairs had established an informal arrangement with private lawyers willing to assist destitute women and young persons. Government lawyers also provided free legal advice on an informal basis.

59. As far as the provisions of article 16 of the Convention were concerned, families headed by young women were often poor and therefore eligible for State assistance in various areas, including school uniform, groceries and care packages. Saint Kitts and Nevis had a high incidence of female-headed households (43 to 47 per cent).

60. Providing clarification on paragraph 157 of the report, she said that, in the event of the dissolution of de facto unions, women were awarded property based on their verifiable contribution to its purchase. When marriages were dissolved, women had the privilege of being awarded a "fair" share of property acquired for joint use, whether or not they had contributed to its acquisition.

61. With regard to relations between young girls and adult men, empowerment activities for girls, parent education for fathers and public awareness of the criminal nature of sexual relations with girls under sixteen were expected to help lower the incidence of relationships between older men and young girls.

62. There was a recognized need to change the perception of the roles of women and men, but that was

only possible over time. The Gender and Development Plan had launched a media campaign specifically aimed at raising public awareness in that regard.

63. With respect to default on maintenance payments, her delegation was not aware of social security or national insurance schemes for the recovery of maintenance. However, that possibility could be explored in the drafting of attachment of earnings legislation. Attachment of earnings was being considered to alleviate the maintenance situation. Eastern Caribbean States were engaged in judicial and legislative reform aimed at harmonizing the magisterial court processes. Its implementation would relieve States of the burden of services to children whose fathers had defaulted on maintenance support.

64. Men could choose to serve a period of imprisonment to cancel their maintenance debt. However, they could be brought repeatedly before the courts if their debt accumulated. Most men preferred to pay the debt rather than have their personal freedom curtailed. Research had been conducted regionally to ascertain the mechanisms used to ensure that imprisonment did not forfeit monies owed for maintenance. The relevant amendment to the Magistrate's Code of Procedure Act had already been drafted and would be presented to the next session of Parliament.

65. Medical workers were obliged to report incidents of child abuse or suspected child abuse, but there was no such obligation to report violence against women. The possibility of running shelters on a regional or subregional basis had not been pursued although the issue had been discussed in the past. All countries in the region had enacted legislation aimed at tackling domestic violence.

66. On the subject of support groups for fathers, three years earlier the counselling department of the Ministry of Social Development, Community and Gender Affairs had developed a programme to strengthen parenting skills among men, and to educate them on issues relating to their roles as fathers and partners. The programme had been met with such enthusiasm that it had become an annual event, targeting two communities each year. The sessions were facilitated whenever possible by local men or volunteers and were led by educators, social workers or other professionals. Following the success of the programme, the United Nations Children's Fund (UNICEF) had agreed to fund

a symposium and further forums had been discussed. Activities specifically aimed at male empowerment to encourage men to accept women on an equal footing would receive greater attention in the period 2001-2006.

67. In situations of disaster, the Ministry of Social Development, Community and Gender Affairs was responsible for the management of a Food, Clearance and Shelter Committee spearheading a comprehensive range of relief activities. The responsibilities of the Committee were carried out in a manner which took a gender perspective into account. Several women belonged to the National Emergency Management Agency. Eighty-five per cent of housing stocks had been destroyed by hurricane in 1998 and most of the 1,200 homes which had been built had been distributed to women. Special emphasis was given to the needs of women and children living in shelters.

68. **Ms. Regazzoli** said that she had no doubt as to the country's commitment to ensuring that women were better represented at the next elections. That was no easy task, as all countries of the region, if not beyond, were used to electoral campaigning which centred on vilifying opponents. Women did not tolerate that kind of behaviour, which could be changed only by attracting more women into politics. She also hoped that the next report would be able to say that women had a greater presence in the diplomatic service. The Committee was well aware of the difficulties which Saint Kitts and Nevis faced, not least those caused by hurricane damage. Destruction of homes had also meant the destruction of the few refuges for women and children fleeing domestic violence. The country had achieved much since 1983, particularly in the last five years, and she hoped that the next report would demonstrate even further progress.

69. **Ms. González** thanked the delegation for its prompt replies to the Committee's many questions.

70. **Ms. Schöpp-Schilling** applauded the fact that foreign investors in Saint Kitts and Nevis were required to adhere to a code of ethics and labour codes. She urged continued monitoring of the situation. She welcomed the bill seeking to ensure equal pay for work of equal value, and hoped that it would help to narrow the wage gap between men and women. Resources permitting, she appealed for action to tackle the situation of women in the formal sector and for more information in the next report.

71. **Ms. Shin** also praised the delegation's handling of the Committee's many questions, and echoed the concern expressed at the underrepresentation of women in political and diplomatic life. She urged Saint Kitts and Nevis to consider using temporary special measures to redress the gender balance in those fields. While she acknowledged the country's anti-discrimination efforts, she called for greater focus on changing stereotypical gender roles and attitudes, particularly regarding violence against women, family planning, sexual behaviour and family responsibilities. She hoped that the country's next report would show that the existing high percentage of female heads of household had fallen.

72. **Ms. Charles-Gumbs** (Saint Kitts and Nevis) thanked the Committee for its encouragement in fighting for women's equality, and for understanding the challenges faced by her country. The rest of the country's five-year plan would be vigorously pursued.

73. **The Chairperson** thanked the delegation for its commitment. She hoped that, when it next appeared before the Committee, it would be able to announce the ratification of the Optional Protocol to the Convention and the amendment to article 20, paragraph 1, of the Convention, and to respond to any issues it had not addressed in its current replies. The Committee would send the delegation its concluding comments, and hoped that they would be disseminated to all stakeholders, and if possible discussed by the country's Parliament and cabinet, with a view to seeing them implemented.

The meeting rose at 11.40 a.m.