



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

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**Committee on the Elimination of Discrimination
against Women
Seventy-second session**

Summary record of the 1664th meeting

Held at the Palais des Nations, Geneva, on Wednesday, 20 February 2019, at 3 p.m.

Chair: Ms. Gbedemah

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The meeting was called to order at 3 p.m.

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

Combined fourth to seventh periodic reports of Antigua and Barbuda (continued)
([CEDAW/C/ATG/4-7](#); [CEDAW/C/ATG/Q/4-7](#), [CEDAW/C/ATG/Q/4-7/Add.1](#) and [CEDAW/C/ATG/Q/4-7/Add.2](#))

1. *At the invitation of the Chair, the delegation of Antigua and Barbuda took places at the Committee table.*

Articles 7 to 9 (continued)

2. **Ms. Marshall** (Antigua and Barbuda) said that it was illegal to pay for the services of a prostitute in Antigua and Barbuda but not to provide such services. Victims of trafficking were offered support. Under existing trafficking legislation, as amended in 2018, custodial sentences and fines could be imposed on convicted perpetrators. The maximum applicable custodial sentence was 20 years and the maximum fine 400,000 East Caribbean dollars (EC\$).

3. Some young people were selected by the Department of Youth Affairs to become youth ambassadors and, of those, some were selected to serve as Commonwealth ambassadors. Efforts were made to ensure a gender balance among those selected. The ambassadors were assigned to individual ministries to work on either gender mainstreaming or youth policy.

Articles 10 to 14

4. **The Chair**, speaking in her capacity as an expert, said that, although women's educational attainment was higher than men's at the tertiary level, their comparative success had not translated into improved access to work, higher incomes or greater representation in decision-making positions. In that connection, she wished to know what links, for example internship programmes, had been established between educational institutions and the world of work so as to ensure that formal certifications led to workplace opportunities for women.

5. She would appreciate information on the impact of the various initiatives introduced to combat gender stereotypes in education. Had they been evaluated? Although the State party was certainly to be commended for those initiatives, gender segregation remained a persistent problem in the education system. She would be grateful if the delegation could indicate how temporary special measures, such as scholarship programmes or modified entry requirements, could be used to improve the situation in the short term and when such measures would be adopted. What gender equality policies, programming and curricular changes had resulted from the educational goals and objectives of the Education Act of 2008?

6. Although pregnant girls were legally entitled to return to school after giving birth, they in practice often did not do so. The Committee recommended that the issue should be brought to the attention of school principals, that protocols should be introduced to make the provision of education for teenage mothers mandatory and that information campaigns should be conducted to raise public awareness of their educational needs. With regard to sex education, the Committee recommended that the State party should adopt a universal, mandatory and age-appropriate programme addressing issues of power and responsible sexual behaviour, with special attention to the prevention of early pregnancy, family planning and modern forms of contraception.

7. She wondered what measures would be taken to ensure the continued provision of support services for girls who dropped out of school, as the organization that had previously provided those services had reportedly begun to charge fees. It would be useful to receive information on the complaint mechanisms available to girls who were the victims of sexual violence or rape at school. How well articulated were those mechanisms? It was also unclear what measures had been taken to ensure the inclusion of migrant girls and girls with disabilities in schools and prevent them from dropping out. Lastly, more information on corporal punishment and the steps being taken to abolish the practice would be welcome.

8. **Ms. Marshall** (Antigua and Barbuda) said that the Government had organized a consultation process with a view to abolishing the practice of corporal punishment. In collaboration with the United Nations Children's Fund (UNICEF), the country had adopted a child-friendly schools model and had provided training to teachers and other professionals who interacted with children on a daily basis. The Minister of Education and the Prime Minister had both made clear that the practice of corporal punishment would be abolished, and it was likely that a final decision to that effect would be taken once the Ministry of Education had developed an updated child discipline policy.

9. Complaints could be brought on behalf of both migrants and nationals of Antigua and Barbuda. A complaint brought on behalf of a migrant child with disabilities would be swiftly investigated and, if necessary, the child placed in a school. The Education Act covered all children attending schools in Antigua and Barbuda. The Ministry of Education and the Ministry of Social Transformation, Human Resource Development and Youth and Gender Affairs had held talks to develop a system for integrating children with disabilities into mainstream schools. It was hoped that the system would have been fully implemented within two years.

10. The Directorate of Gender Affairs had conducted a robust campaign to raise young people's awareness of sexual violence and rape in schools. Young people had also engaged with the issue through poetry and theatrical productions. The process of reporting incidents of sexual violence was subject to clear policies and procedures. Such incidents were reported to the school concerned and the police. The Family and Social Services Division also intervened in such cases.

11. The Ministry of Social Transformation, Human Resource Development and Youth and Gender Affairs was considering the possibility of introducing alternative arrangements to ensure the continued provision of support services for girls who dropped out of school. Girls who had given birth were able to complete their education, but they often felt uncomfortable in a school environment. Through the Department for Youth Affairs, the Ministry had developed the Youth Education and Empowerment Programme, which gave its participants the opportunity to study up to nine subjects free of charge. The learning environment had been designed with the needs of young mothers in mind and included an on-site kindergarten staffed by retired nurses and teachers. Girls were also encouraged to enrol in the technical training programmes offered by the Department for Youth Affairs.

12. Although formal temporary special measures had not been introduced to combat gender stereotyping in education, an attempt had nevertheless been made to improve the situation. The Prime Minister offered scholarships to all young citizens, including girls. In addition, various ministries organized cadet programmes for young people and sought to ensure a gender balance among the participants.

The meeting was suspended at 3.20 p.m. and resumed at 3.30 p.m.

13. **Mr. Bergby** said that, as women faced numerous obstacles in the labour market, he wished to know what measures had been taken to decrease occupational gender segregation and encourage women to enter traditionally male-dominated fields. He wondered what efforts were being made to dispel the gender stereotypes that disadvantaged women in the labour market, such as the view that men were more deserving of employment as they were more likely to be the main breadwinner in a family. Had any awareness-raising campaigns been conducted to dispel those stereotypes?

14. He would appreciate more information on the drafting of the national policy on workplace discrimination and harassment. It would be interesting to discover how many cases of violations of section E8 (1) of the Labour Code, which stipulated that women and men were entitled to equal remuneration and working conditions, had been brought before the courts. Had any of those cases concerned equal pay? He would also like to know whether the State party planned to amend the Labour Code with a view to bringing its definition of equal pay into line with the definition contained in the International Labour Organization (ILO) Equal Remuneration Convention, 1951 (No. 100). How large was the pay gap currently?

15. It would be helpful if the delegation could indicate whether the State party planned to reduce the number of months of paid employment that a person had to have completed in order to qualify for social benefits under the Social Security Act, as the current threshold risked excluding the large number of women in seasonal work.

16. He wished to know whether the State party planned to carry out a comprehensive survey to gauge the prevalence of sexual harassment in the workplace. It seemed an appropriate time to conduct such a survey, as its findings could be fed into the national policy on workplace discrimination and harassment currently under development. It was also unclear whether the State party had set a time frame for the adoption of the legislation on sexual harassment mentioned in the head of delegation's statement.

17. Lastly, he wondered whether the State party planned to strengthen the public transport system, in particular the bus network in rural areas, in order to support women in work. It was reportedly difficult for women who worked in the evenings to return to their homes after a shift.

18. **Ms. Jacobs** (Antigua and Barbuda) said that the Government monitored public opinion on gender issues, including by convening focus groups. A shift in public opinion had recently been observed in that regard. The national policy on workplace discrimination and harassment would contain a definition of discrimination that was in line with the definition contained in the Convention. The policy would address a range of issues, including the promotion of inclusive workplaces and diversity and the specific responsibilities of employers. The policy was currently at the consultation stage. The provisions of the Labour Code that were discriminatory towards women had been brought to the attention of the Labour Board, which was currently revising this law. Serious consideration would be given to the Committee's recommendation that a survey on the prevalence of sexual harassment should be conducted. She agreed that such a survey would seem particularly opportune at the current time.

19. **Ms. Marshall** (Antigua and Barbuda) said that employees, in particular female employees, who worked beyond 6 p.m. were usually offered return transport by their employers. However, employees who took up that offer were required to meet at a central pick-up point. The Government was holding discussions with public transport representatives in order to increase the number of evening services.

20. The Social Security Board was currently reviewing the legislation governing eligibility for social benefits, and the minimum contributory period of six months was one of the issues under review. Persons who had not contributed for the minimum period were able to access a non-contributory fund, but they would receive less than those who had contributed.

21. The bill on sexual harassment had been submitted for first reading but had subsequently been withdrawn so that consultations could be held with a broader range of stakeholders. It was hoped that the bill in question would have been adopted within one or two years.

22. **Mr. Bergby** said that he wished to commend the State party on its decision to ratify the ILO Domestic Workers Convention, 2011 (No. 189). He wondered whether the State party had decided to take steps to ensure that women's unpaid work was recognized under the Social Security Act, as had been recommended by the Caribbean Development Bank in its country gender assessment. It was unclear whether an employer could lawfully post an advertisement for a vacancy open only to men. On a separate point, it would be useful to learn why the number of women in high-ranking positions in the Royal Police Force had fallen so sharply in recent years and what measures had been taken to reverse that trend.

23. **Ms. Marshall** (Antigua and Barbuda) said that the Directorate of Gender Affairs would be collaborating with the Commissioner of Police to increase the number of women in leadership roles in the Royal Police Force and assess the challenges women faced there. Her delegation was not aware of any current male-only job advertisements. The Government strove to attract women to professions traditionally pursued by men, including by offering scholarships under the country's development plan to encourage them to enter male-dominated industries. For example, one young woman was currently training to become the

country's first-ever female harbour master. The Directorate of Gender Affairs had also been working with private organizations to raise awareness about and break gender stereotypes.

24. Legislation would be overhauled with a view to giving domestic workers social security protection. Discussions on that matter were under way between the Social Security Board and unions, which had actively supported domestic workers' rights.

25. **Ms. Jacobs** (Antigua and Barbuda) said that gender-equality guidelines had been introduced at the Ministry of Works with a view to providing women with training in non-traditional fields and promoting the inclusion of people with disabilities and people with HIV/AIDS.

26. **Ms. Acosta Vargas** said that the Committee commended the State party on its universal health-care system. However, the Committee was concerned that the country's medical benefits scheme did not cover all diseases and that it was unavailable to undocumented persons and informal workers. She wondered what types of health care were available to those without access to the scheme and what the requirements were for unpaid domestic workers to obtain a certificate of voluntary registration in order to receive coverage. In addition, could people with HIV/AIDS receive treatment and medicine under the scheme?

27. Abortion was only permitted to save the mother's life and, despite free hospital care for post-abortion complications for girls under 18, backstreet abortions put women's lives in danger. The Zika virus compounded that danger. She would like to know the country's mortality and morbidity rate, since limited access to abortion affected those rates, particularly for poor women. It would be useful to know whether abortion would be decriminalized or at least made legal in cases of rape, severe fetal impairment or where pregnancy put the woman's physical or mental health at risk. If not, what hindered such legislative changes? She also wished to hear whether steps had been taken to prevent the forced sterilization of girls with disabilities and whether restrictions on the access of girls under 16 to contraception would be removed.

28. **Ms. Marshall** (Antigua and Barbuda) said that help was not refused to persons with HIV: the medical benefits scheme provided assistance and the HIV/AIDS Secretariat gave appropriate support, including counselling. The Ministry of Health had set up a ministerial committee, advised by a technical team, to improve support for young women exercising their sexual and reproductive rights.

29. The Government was currently considering the decriminalization of abortion, including permitting abortions on the grounds of a woman's health. In some respects, Antigua and Barbuda was behind on the issue and much consultation would be required before the law could be amended. Nevertheless, a review of the legislation had begun.

30. Health-care spending had yielded some good results: according to the Ministry of Health, the maternal death rate had dropped to zero in the previous seven years, and mortality due to premature births had also gone down considerably. HIV transmission from mother to child had been eliminated. Likewise, there had been no more outbreaks of the Zika virus.

31. There were requirements to register as a contributor to the medical benefits scheme. However, a policy to ensure that no one was denied service was being finalized and had already been put into practice. Hospitals would therefore treat everyone, including persons who did not contribute to the scheme. Antigua and Barbuda nationals who performed unpaid housework met the requirements of the scheme. Moreover, Government support was available in cases where the hospital was unable to provide the required treatment.

32. **Ms. Peláez Narváez** said that, in light of concerns raised by the Committee on the Rights of the Child about an increasing number of girls infected with HIV, it would be useful to receive relevant data on cases affecting girls specifically under the age of 15. She would also welcome information on the measures taken to tackle the disease. It would be interesting to hear about any prevention campaigns launched to improve girls' access to health-care services and whether such campaigns also benefited the homeless and people with disabilities.

33. **Ms. Acosta Vargas** said that she wished to know whether steps had been taken to prevent the forced sterilization of girls and women with disabilities and whether undocumented migrants had access to health care.

34. **The Chair**, speaking in her capacity as an expert, said that she would like clarification of the proposed amendments under the draft legislation to decriminalize abortion. Was it hoped that abortion would be legalized when required for reasons of the woman's health and in cases of rape and incest, for example?

35. **Ms. Jacobs** (Antigua and Barbuda) said that such grounds were being discussed as part of the review of the legislation on abortion. The HIV/AIDS Secretariat had not supplied data on girls under the age of 15 infected with HIV but the information would be obtained. The HIV/AIDS Secretariat and hospital would provide medication to anyone who needed it.

36. **Ms. Marshall** (Antigua and Barbuda) said that Antigua and Barbuda did not have significant numbers of undocumented migrant women. There had only been a few cases of persons from country members of the Organization of Eastern Caribbean States who had misplaced their passports. In any event, the Government offered assistance to undocumented persons. The delegation was unaware of cases of forced sterilization of girls with disabilities, but would seek confirmation from the Ministry of Health.

37. **Ms. Bethel** said that she would like to know what steps Antigua and Barbuda had taken to increase women's access to land and credit and prevent discrimination against women, particularly unmarried women, in the private sector, including banking and commercial transactions.

38. The 2007 Country Poverty Assessment Report referred to in the State party's report had highlighted the problem of destitute older women and women with disabilities who were unable to work. It would be useful to know, therefore, whether there had been any major improvements to the lives of older women and what steps had been taken to help women with disabilities to exercise their right to work. Furthermore, she would be interested to hear whether all of the country's anti-poverty strategies took account of gender and disabilities and addressed the specific needs of older women and women with disabilities, whether there was a monitoring mechanism for those anti-poverty strategies and whether their impact had been evaluated. Had such strategies yielded good practices to empower women economically and socially? In addition, she wished to know whether there was a policy in place on housing for low-income women and their families. It would be useful to know what social protection there was for disadvantaged women such as refugees and migrants. Lastly, in order to recognize, reduce and redistribute domestic care work it would be interesting to discover what strategies had been implemented: had the Government invested in infrastructure such as childcare and care for older persons and adopted measures to ensure equal responsibility for housework and childcare by parents?

39. **Ms. Song** said that, in light of alternative sources that revealed the difficulties some rural women in Barbuda faced in obtaining finance, she wished to discover what special support programmes were in place to help them with their farming and other income-generating activities. She wished to know whether those women were fully consulted in the formulation and implementation of local development programmes that had an impact on them. Other information before the Committee suggested that a bill before the Senate could deprive the inhabitants of Barbuda of communal land they had lived on for generations.

40. In addition, given that seriously ill patients in Barbuda had to be transported to Antigua for medical treatment, she wished to know whether subsidies were available to the families of women in need of care to cover the high transportation costs and whether efforts were being made to improve urgent health-care services in Barbuda.

41. Turning to the issue of the loss suffered during the two category-5 hurricanes of 2007, she would be grateful for more information on efforts to reconstruct Barbuda and wondered whether the evacuees had returned home. Given that women were often disproportionately affected by natural disasters, it would be useful to know whether particular attention was paid to women in poverty, women with disabilities, rural women and other groups of women to ensure their equal rights and treatment in the national recovery strategies and programmes. Did Antigua and Barbuda regularly try to prepare people, including women, for natural

disasters? The integration of a gender perspective in the country's disaster and recovery strategies was commendable and the Committee's general recommendation No. 37 (2018) on gender-related dimensions of disaster risk reduction in the context of climate change could further assist the country to ensure gender sensitivity in all relief efforts.

42. **Ms. Marshall** (Antigua and Barbuda) said that Barbudan women's career choices were not determined by gender stereotyping, as shown by the fact that they worked in agriculture, fishing and other areas that might traditionally be seen as the preserve of men. As part of the Government's efforts to promote recovery in the wake of Hurricane Irma, persons living on residential land in Barbuda that had previously belonged to the British Crown were given the opportunity to purchase that land for EC\$ 1.

43. In order to improve the health-care facilities available on Barbuda, the Government, in conjunction with the Government of India and the Pan American Health Organization, was making plans to establish a better equipped hospital on the island. In general terms, the Government intended to increase investment in Barbuda in order to ensure that the island's population would be more resilient to natural disasters in the future. Environmental concerns would be taken into consideration in all the development work carried out.

44. The Government had worked with international organizations with a view to enhancing the assistance provided to members of vulnerable groups, including older persons, women and girls with disabilities and single mothers. Grants, labour and materials required for the refurbishment of dilapidated homes were made available to single mothers and other vulnerable persons. The homes of persons with disabilities were fitted with ramps and other devices designed to enhance their mobility.

45. The Government had worked with several local banks with a view to enhancing access to credit for new and established women entrepreneurs, who were also given technical assistance to help them manage their businesses. As farms were considered to be businesses, women farmers were eligible to apply for assistance from the entrepreneurial fund established by the Government.

46. **Ms. Jacobs** (Antigua and Barbuda) said that, although no formal agreement had been established between the Government and lending institutions, steps had been taken to make some of those institutions more aware of the importance of making credit available to women. Older women could obtain cheaper electricity through an electricity subsidy programme and monthly payments were made available to older persons and persons with disabilities who required help with their living costs. A free bus service had been established to enhance the mobility of older persons and persons with disabilities and a programme had been set up to provide free, daily care to older persons who required it. Gender would be mainstreamed in plans to combat poverty and steps would be taken to evaluate, and disseminate the results of, all the programmes implemented in accordance with those plans. The social protection reform process had highlighted the need for the Government to streamline all its social protection programmes to ensure that the best use was made of its limited resources. Government housing programmes made it easier for low-income families to obtain access to affordable housing and land and an agreement concluded between the Government and certain lending institutions made it possible for families to obtain low-interest loans for the purchase of housing and land.

Articles 15 and 16

47. **Ms. Narain** said that she wished to know whether the State party had dedicated family courts and, if so, whether they sat only on the island of Antigua. She wondered what arrangements were in place for women in Barbuda who needed to make urgent applications to the family court, whether the judicial and non-judicial staff of the court were given specialized training, whether the court conducted mediation in family disputes and what percentage of family law cases were settled by that means.

48. It would be interesting to learn whether free legal aid would be made available to women who required it, whether women were made aware of their rights under family law and whether women could recover unpaid maintenance payments by having an attachment order placed on the income and pension of a defaulting parent. If attachment orders could be

used for that purpose, she wondered how the arrangement worked in practice and how many such orders had been successfully executed in recent years.

49. Noting that the Divorce Act did not contain any provisions governing the division of marital property in the event of divorce, she asked whether such provisions would be introduced into legislation, in line with the Committee's general recommendation No. 21 (1994) on equality in marriage and family relations, to ensure that the same weight would be accorded to financial and non-financial contributions made by spouses during a marriage.

50. Given that a woman or man between the ages of 15 and 18 years could legally marry with the consent of a parent or guardian, she wondered how many underage marriages with parental consent took place every year and whether such marriages were linked to teenage pregnancies or entered into for religious reasons. It would be interesting to learn when the law would be amended to provide for a minimum age for marriage of 18 years for men and women, in accordance with the Committee's general recommendation No. 21 (1994), with no provision being made for derogations from that minimum age. In view of the fact that common law relationships were not recognized in law, the Committee would welcome information on how the State party ensured the legal and economic protection of unmarried women who separated from their partners.

51. The Committee wished to know whether the State party's new forensic laboratory, which would be established shortly, would be able to conduct free paternity tests on behalf of children and their mothers. Lastly, she asked whether the Government would take steps to ensure that Antigua and Barbuda became a party to the Convention on the Civil Aspects of International Child Abduction.

52. **Ms. Marshall** (Antigua and Barbuda) said that a dedicated Family Court had been established, which was supported by a criminal justice board and a child protection and adoption board when necessary. The judge and staff of that Court received ongoing training and had recently visited the Family Court of Trinidad and Tobago with a view to learning about that country's best practices and the challenges that it faced. The Family Court of Antigua and Barbuda conducted mediation services and attachment orders were used to recover unpaid maintenance payments. Although women or men between the ages of 15 and 18 years could legally marry, with the consent of a parent or guardian, no marriages involving persons of that age had taken place in recent years. Consideration would be given to the possibility of amending the law on the minimum age for marriage and the law governing the rights of unmarried couples. A new forensic laboratory would be able to conduct free paternity tests.

53. **Ms. Reddock** said that she wished to know whether monitoring would be carried out to ensure that women received a fair share of the land distributed on Barbuda.

54. **Ms. Peláez Narváez** said that she wished to know whether, in accordance with the equal right of all persons with disabilities to live in the community, the State party was planning to implement a programme for deinstitutionalizing persons living on a permanent basis in the Clarevue Psychiatric Hospital and other institutions. Noting that the law provided that any person, regardless of sex, enjoyed full capacity once he or she reached the age of 18, she asked whether that provision also applied to persons with disabilities.

55. **Ms. Marshall** (Antigua and Barbuda) said that the Government and the local council were working together to ensure that land and homes were distributed fairly on Barbuda. Efforts were made to identify and approach women who might be eligible for land distribution schemes to determine whether they wished to participate in them.

56. **Mr. Safarov** said that he would welcome further information on procedures for adoption, including inter-country adoption, in the State party. In particular, he wished to know which organization was responsible for ruling on applications for adoption and whether adopted children were subject to monitoring.

57. **Ms. Marshall** (Antigua and Barbuda) said that adoption procedures were managed by the Adoption Committee, which was supported by UNICEF and headed by the Director of the Family and Social Services Division. Decisions on adoption, which had previously been taken by a single judge, were now taken in consultation with social welfare officers, health-care staff, family members and teachers.

58. **The Chair** said that she wished to thank the delegation for the constructive dialogue, which had provided further insight into the situation in the State party.

The meeting rose at 5.05 p.m.