



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

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

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

**Fourth to eighth periodic reports of States parties due in 2010**

**Saint Vincent and the Grenadines\***

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\* The present document is being issued without formal editing.



## Contents

|   | <i>Page</i> |
|---|-------------|
| Acknowledgements . . . . .  | 3           |
| Introduction . . . . .  | 4           |
| Methodology . . . . .   | 4           |
| Section I: general update on information pertaining to Saint Vincent and the Grenadines . . . . .   | 5           |
| 1. Demographics . . . . .   | 6           |
| 2. Socioeconomic context . . . . .  | 8           |
| 3. Political Structure & governance . . . . .   | 11          |
| Section II: Specific information relating to the implementation of the articles of the CEDAW Convention . . . . .                             | 13          |
| Introduction: . . . . .   | 13          |
| Article 1: definition of discrimination against women . . . . .   | 14          |
| Article 2: obligation to eliminate all forms of discrimination against women . . . . .  | 16          |
| Article 3: measures to ensure the full development and advancement of women . . . . .   | 23          |
| Article 4: temporary special measures . . . . .   | 25          |
| Article 5: the elimination of gender stereotypes . . . . .  | 27          |
| Article 6: suppression of all forms of exploitation of women . . . . .  | 31          |
| Article 7: the participation of women in public and professional life . . . . .   | 32          |
| Article 8: international representation and the participation of women in international affairs of Saint Vincent and the Grenadines . . . . . | 34          |
| Article 9: nationality and citizenship of women and their children . . . . .  | 34          |
| Article 10: ensuring women equal rights to education . . . . .  | 35          |
| Article 11: ensuring women equal rights in employment . . . . .   | 40          |
| Article 12: ensuring equality for women in accessing health care . . . . .  | 48          |
| Article 13: ensuring equality of women in social and economic life . . . . .  | 52          |
| Article 14: securing the rights of rural women in Saint Vincent and the Grenadines . . . . .  | 53          |
| Article 15: women's equality before the law . . . . .   | 55          |
| Article 16: ensuring equality for women in marriage and family life . . . . .   | 56          |
| Acronyms . . . . .  | 58          |

### Annexes\*\*

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\*\* The annexes to the present document are on file with the secretariat and are available for consultation.

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**Introduction**

As part of each State Party's obligations, upon ratifying or acceding to the Convention, the undertaking is given, under Article 18, to submit, within a year of the Convention's entry into force for that State, an initial report on the legislative, judicial, administrative or other measures it has adopted to give effect to the provisions of the Convention and progress made in this respect; and thereafter periodic reports are due at least every four years and further whenever the Committee so requests.

Instruments of Accession to the Convention on the Elimination of All forms of Discrimination against Women (CEDAW) were deposited by Saint Vincent and the Grenadines on August 4th, 1981. By becoming a State Party to the Convention, Saint Vincent and the Grenadines joined with many countries in the international community in the most comprehensive and broad-ranging document addressing women's rights. We recognize that the CEDAW has the second highest number of ratifications among the six most important Human Rights Instruments of the UN. In this regard we are pleased to note that this Convention was signed and Ratified by the Government of Saint Vincent and the Grenadines without Reservations.

To date, only one report has been submitted, namely the Combined Initial, First, Second and Third Periodic Report which represented the period 1981 – 1994. That Report was examined by the CEDAW Committee at its Session in 1997 following upon which the Committee issued some important concluding comments. This combined Fourth, Fifth, Sixth, Seventh and Eighth Periodic Report represents developments, achievements and challenges in St. Vincent and the Grenadines from the period 1995- 2010 in relation to the implementation of our obligations under the Convention.

The concluding comments issued following the presentation of the Initial Report in 1997 included concerns and General Recommendations GOSVG was expected to address prior to the preparation of the following Periodic Report. Responses to these concluding comments and recommendations have therefore been included. Programmes and policies implemented by the GOSVG as well as other key stakeholders at the level of Government, private sector and civil society to promote Gender Equality and to eliminate discrimination based on gender are also discussed.

St. Vincent and the Grenadines has also incorporated the Beijing Declaration and Platform for Action, specifically the twelve critical areas of concern in its programmes and progress on that implementation is also included in this Report.

This Report is divided into two sections. Section I provides general information relating to the overall geographic, socioeconomic and political situation in the country and Section II addresses each Article of the Convention, providing the required information on each.

**Methodology**

In the process of preparation of this report substantive documents relating to the legal and regulatory framework as well as the social, economic and political context have been reviewed. Other documents which provide information on programmes which have been implemented by the State Party and other stakeholders in the reporting period which speak to the advancement of women in Saint Vincent and the Grenadines have also been examined.

This Combined Periodic Report for Saint Vincent and the Grenadines was developed through a process of consultation with community groups, rural and urban women, youth and community groups. These stakeholders were educated on the CEDAW Convention and the opportunity was also taken to solicit their views on the implementation of the Convention as well as to make an assessment of its impact on their daily lives. In addition to this specific element of consultation in the process of preparation of the report there has been ongoing consultation and continuous assessment of the issues raised in this report by community organizations as well as during various National consultations.

The State Party recognizes that this Convention is the most important International Convention on Women's Rights. We are thus fully aware of the need for ongoing education on and promotion of the CEDAW among the youth, women, girls and boys, the private sector, civil society and other key stakeholders in Saint Vincent and the Grenadines. We are also committed to working towards fully utilizing the Convention, by continuing to integrate it further into policy and programming in all public sector programming and policymaking as well as to encourage the private sector and civil society to inculcate the spirit of its values and guidelines into their planning and the implementation of such plans.

Notwithstanding, we are cognizant of the challenges in this regard as we continue to battle with some existing social and cultural norms and practices in our society which are contrary to the Convention as well as the economic and political constraints arising from our particular historical and geographic context. These we seek to outline as clearly as possible in this Periodic Report and welcome the opportunity to engage in respectful, positive and fruitful dialogue with the CEDAW committee on all critical issues in order that we may continue to be guided by available Best Practices suitable to our circumstances.

## SECTION I: General Update on Information Pertaining to Saint Vincent and the Grenadines

### Socioeconomic context and governance



## Demographics

The geographical context for these developments continues to be its relatively small size. The country is an archipelago, located in the Eastern Caribbean, consisting of a chain of 34 smaller islands and cays, (the Grenadines), which extends to the south over a distance of 64 km. The islands together comprise a land mass of 389 square kilometres with St. Vincent, the largest and most mountainous, accounting for 344 square kilometres. St. Vincent is also the administrative centre and the hub of commercial and other economic activity.

## Population and Ethnic Composition

This section provides key information on population and ethnic composition of Saint Vincent and the Grenadines during the reporting period. Based upon the findings of the latest available Population and Housing Census, the population of Saint Vincent and the Grenadines decreased from 106,499 in 1991 to 106,254 in 2001, a decline of 0.2%.

Despite the overall decline in population, this was not evenly spread across the country as five of the thirteen census divisions registered increases. Of note is the fact that census divisions comprising the capital Kingstown recorded a decrease in population whilst the surrounding Kingstown Suburbs recorded an increase. This could be said to be attributable to the growing conversion of erstwhile dwelling houses within the capital into business places. The distribution of population between the mainland island of Saint Vincent and the Grenadines remained virtually unchanged between the period 1991 – 2001 with the mainland accounting for 91.9 % or the bulk of the population.

The statistics indicate that, consistent with the decline in population, the population density on mainland Saint Vincent has been reduced from 733 to 730 persons per sq. Mile from 1991 to 2001 with the Kingstown urban area recording a high density of 8,140 persons per sq. mile in 1991 and 6,954 persons in 2001. This is contrasted with the Kingstown Suburbs which recorded a population density of 1,681 in 1991 and 1,954 in 2001.

Other factors of note are that, according to both the 1991 and the 2001 census figures, the population of the country is still a relatively young one. It remains dominated (30.7%) by those under the age of fifteen whilst the 15 – 29 age group represents 27.8 % of the population.

Table I  
**Percentage distribution of population by broad age group and sex 1991 and 2001**

| Age Group | 1991 |        |       | 2001 |        |       |
|-----------|------|--------|-------|------|--------|-------|
|           | Male | Female | Total | Male | Female | Total |
| Under 15  | 37.7 | 36.7   | 37.2  | 30.8 | 30.5   | 30.7  |
| 15-29     | 30   | 29     | 29.5  | 28   | 27.6   | 27.8  |
| 30-44     | 16.4 | 15.8   | 16.1  | 21.7 | 20.5   | 21.1  |
| 45-64     | 10.3 | 11     | 10.7  | 13.2 | 13.2   | 13.2  |
| 65+       | 5.4  | 7.6    | 6.5   | 6.3  | 8.3    | 7.3   |

| Age Group    | 1991       |            |            | 2001       |            |            |
|--------------|------------|------------|------------|------------|------------|------------|
|              | Male       | Female     | Total      | Male       | Female     | Total      |
| Not Stated   | 0          | 0          | 0          | 0          | 0          | 0          |
| <b>Total</b> | <b>100</b> | <b>100</b> | <b>100</b> | <b>100</b> | <b>100</b> | <b>100</b> |

Source: *Population and Housing Census 2001*.

Within this context, the figures show that there is a fairly equal distribution of males and females in all age categories except in the over 65 cohort where women exceed men in both Census years. This has implications for the attention which must be paid to the needs of elderly women. Although the data shows that for every 100 females there are 102 males it represents a slight difference from the 1991 census where for every 100 males there were 100 females. The table which follows provides an indication of the population changes over the period 1996 – 2002.

Table 2  
**Population changes: 1996-2002**

| Population       | Unit           | 1996 | 1997 | 1998  | 1999  | 2000  | 2001  | 2002  |
|------------------|----------------|------|------|-------|-------|-------|-------|-------|
| Crude Birth Rate | Per 1,000 pop. |      |      | 18.96 | 19.45 | 19.19 | 20.68 | 18.01 |
| Crude Death Rate | Per 1,000 pop. | 7.0  | 6.7  | 7.5   | 7.5   | 6.3   | 7.1   | 6.9   |
| Natural Increase | % per Annum    | 13.9 | 14.2 | 11.5  | 11.9  | 13.0  | 12.3  | N.A.  |
| Fertility Rate   | % per Annum    | 2.8  | 2.8  | 2.8   | 2.8   | 2.8   | 2.4   | 2.4   |

Source: *Digest of Health Statistics, 2003*.

### Ethnic Composition

The ethnic composition of the population of Saint Vincent and the Grenadines is overwhelmingly comprised of the group “African/Negro/Black” which represents 72.8% of the overall population. This factor has remained constant from the previous CEDAW Report. The second largest group represented themselves as “mixed” (20%) followed by the Carib (3.6%) and East Indian (1.4%) populations.

According to the 2001 Population and Housing Census the population of Saint Vincent and the Grenadines totals 106,254 and that number is fairly evenly divided with a percentage of 50.87% males and 49.13% females (See 2001 Census Report). Since the 1991 Population and Housing Census there has been a 1.32 percentage increase in the population and St. Vincent and the Grenadines continues to have a youthful population. The latest available data also shows that the largest population cohort was represented by persons under the age of fifteen years (30.7%). However this group was represented by an equal amount of males and females.

### UNDP HDI Index Ranking

According to the UNDP Human Development Report for 2006 SVG ranked 88 out of 177 countries on the basis of literacy, school enrolment, life expectancy at birth, and per capita GDP and was in the list of countries with Medium Human Development. This was an improvement from the 2002 HDI ranking of 91 out of

173 countries. By 2010 St Vincent and the Grenadines' Human Development Index (HDI) ranking of 86 out of 187 countries placed it in the list of countries with High Human Development. The human development Index is a composite index that measures the average achievements in a country with three basic dimensions of human development (a long and healthy life, as measured by life expectancy at birth; knowledge as measured by the adult literacy rate and the combined gross enrolment ratio for primary, secondary and tertiary schools; and a decent standard of living as measured by Gross Domestic Product (GDP) per capita as measured in purchasing power parity (PPP) US dollars.

### **Socioeconomic context**

The period 1995- 2010 has been marked by severe external shocks which created major challenges for SVG and other small island economies. These external shocks included the severe and continuous global recession which led to a dramatic downturn in the economies of Europe, the USA and Japan- SVG'S major export markets; the impact of Natural disasters affecting SVG such as Hurricanes Ivan, Hurricane Tomas (2010) and Tropical Storm Lili (2009) which caused in excess of EC\$160 million dollars damage to roads, crops and infrastructure; sharp increases in oil prices on the international market; and the worsening market conditions for its main agricultural export crop, bananas due largely to the removal of Protected access to the European Market and the implementation of a new banana regime in 2006. The global recession also affected and continues to affect the economic recovery as it has impacted severely on tourist arrivals to SVG from Europe and the USA.

Notwithstanding, in the period since the submission of the last CEDAW Report, Saint Vincent and the Grenadines has experienced important and positive socioeconomic and political Developments. During the period under review the GOVSVG has pursued macroeconomic policies which have strengthened international trade performance. The Government of Saint Vincent and the Grenadines also successfully commenced implementation of an economic diversification programme around bananas, with specific measures to increase the level of exports, strengthen the tourism sector and improve the level of social development. This has led to improved social indicators reflecting a significant reduction in poverty and indigence.

The success of the economic policy during the period 2001 -2010 is measured by the fact that despite the economic challenges, for each year the economic growth performance for SVG has been better than average for the member countries of the Eastern Caribbean Currency Union (ECCU). In 2001 the growth was 0% and from there it climbed to 1.7% real growth in 2002; in 2003 real growth stood at 3.6%. Between 2004 – 2007 the country experienced average growth in excess of 5.7%. By 2009 Due to the financial Meltdown of 2008 negative Growth was registered at 0.6% however despite the difficulties, the country was still able to maintain and consolidate its Poverty Reduction programmes.

The growth in the economy resulted mainly from the GOVSVG's pursuit of a mix of fiscal, macroeconomic and financial policies as well as a strong performance from Agriculture, Construction and Tourism. Whilst the contribution of Agriculture to the economy declined during the period under review the Agriculture sector still

continues to play a major role in the economy with bananas continuing to be the main export crop.

The share of the Government Budget allocated to Social Expenditure reflects the economic effort made by the Government of Saint Vincent and the Grenadines to improve its citizens' standard of living and to promote the collective welfare. The public expenditure in the critical sectors of Education, Health and Social Development during the period under review clearly reflect this factor. During the years under review these combined Sectors received approximately 27% of the Government's budget.

### **Education**

The Education sector has during the period under review represented the hallmark of the achievements of the GOVSVG. In recognising the critical importance of Education to poverty alleviation, economic competitiveness and social development the GOVSVG has accorded greatest priority to the sector in its Poverty Reduction Strategy.

In order to streamline its intervention in this sector, the Government through a consultative and participatory process, developed an Education Sector Development Plan. The Plan (2002-2007) addressed structural and institutional weaknesses at all levels of the education system. The GOVSVG launched what was termed an "Education Revolution" through which it delivered programmes for the repair of existing schools as well as the construction of new plant at the early childhood, primary, secondary and tertiary levels.

New educational management systems were developed for the delivery of educational programmes, and remedial programmes for underachievers was instituted. Teachers were provided access to further training at the Tertiary level. During the period under review a historic milestone was achieved with the implementation of Universal Secondary Education in 2006. In addition to Universal Access to Secondary Education the Government was able to create substantial opportunities for Vincentians to access post-secondary and tertiary opportunities for study abroad through scholarships, grants and Loans.

Adult Education also received significant attention during the period under review. Through the assistance of the Taiwanese Government construction was completed on thirteen Learning Resource Centres in constituencies across the country and the main post-secondary institutions (A-Level College, Technical College and The School of Nursing) were formally integrated into one Community College. The passage of the Education Act, Cap 202 and the Further and Higher Education Accreditation Act, Cap 203 in 2006 strengthened the institutional framework for Education in SVG.

### **Health**

St. Vincent and the Grenadines approved its Strategic Plan for Health 2007-2012 under the theme "A Healthy Vincentian is a Wealthy Vincentian. The Health Indicators provided show that. Life expectancy is 74.4 years for women and 70.8 years for men. Infant mortality is 18 per thousand. Maternal deaths have averaged less than 1 per year for the past 10 years. However, the 42% of the population under the poverty line most likely show a quite different picture. The first cause of

morbidity and mortality are cardiovascular diseases which have an annual mortality rate of 58 per 1000, more than 8 times higher than the mortality due to all communicable diseases.

The Government of St. Vincent and the Grenadines began the process of scaling up HIV /AIDS prevention, treatment, services and care in 2001. The period 2003-2005 documented 251 cases of HIV/AIDS. Of this number 40.6 % were females. By 2008 there were 555 people living with HIV/AIDS of whom 44.1 % were female. The majority of female cases occur between the age groups : less than 5 years, 15-24 years and 65-69 years.

Some of the non-communicable diseases are related to genetic influence, lifestyle and epidemiological and demographic transition. The Government of SVG funds all EPI vaccines and the full vaccination coverage is close to 100%.

The Government aims to provide comprehensive health care to all its citizens at an affordable cost to the country and to ensure that environmental concerns are considered in all aspects of national development. Further, the Government is committed to ensuring that all citizens have access to clean drinking water, proper sanitation, and a safe environment free from health hazards. The Ministry's priority programs are committed to improving the conditions of vulnerable, high-risk population groups such as the elderly, the disabled, women of childbearing age, children, adolescents, the physically challenged, and the mentally ill.

In addition, at the primary care level, thirty nine Health Centres spreading over nine health districts provide services to the users of these facilities. The importance of community participation in the provision and delivery of health care cannot be over-emphasised. Therefore the empowering of individuals and communities to accept responsibility for their personal health, as most of referred diseases are originated by personal behaviour, will require the strengthening of linkages between the public and private sector agencies as well as NGOs.

### **Social development**

The economic challenges facing SVG during the period under review has led to rising unemployment across all sectors. The contraction of the agricultural sector has badly affected rural employment and incomes and investment in agriculture. A survey in 2001 on the socioeconomic impact of the restructuring of the banana industry in Saint Vincent indicated that 42% of banana farmers, 32% of ex-banana farmers and 52% of banana workers are poor. The numbers of registered banana growers declined from an estimated 7,000 in 1990 to 2,309 in 2003 and workers deriving all or an important proportion of their earnings from bananas fell from about 23,000 to about 7,000 all of whom require access to alternative sources of income. Temporary migration within the Caribbean and to industrial countries brings in remittances which are essential to many families. However, due to the global recession affecting many developed economies, there is a distinct fall in remittances.

As a result of the above, SVG has witnessed, especially in its rural communities, a reinforcement of unemployment and underemployment, poverty and social vulnerability. Notwithstanding, there has been an improvement in poverty levels during the period under review. A poverty Assessment Report conducted in SVG in 1996 concluded that 37.5% of the population was poor and a further 25.7% of the

population were Indigent. By 2009 a similar Poverty Assessment Report conducted in the country established that Poverty levels had fallen to 30% and Indigence to 2.9%.

The reduction in Poverty levels between 2001 – 2010 can be attributed to a determined and successful policy of the GOSVG to pursue its Poverty Reduction Strategy within every sector, thus leading to a coherent and creative package of measures that resulted in the lessening of the impact of the economic crisis on Vincentians.

The GOVSVG has been consistent in linking its macroeconomic, fiscal and financial policies to the goal of economic stabilization and poverty reduction. During the period under review therefore such economic achievements as the Average annual Economic Growth of 3.4%; the creation of over 10,000 jobs during the period and the implementation of concessionary lending programmes for microenterprises; the increase in the Minimum Wage and the significant rise in salaries and benefits for the public and private sector; the distribution of lands to the poor at subsidized prices; the construction of low income and no income houses and the 100% mortgage programme for home building by public servants resulted in an improved economic possibilities for Vincentians to improve their standard of living.

These economic benefits were combined with the Social impact of the Education Revolution delivered through advanced Education Sector Programmes as well as the strengthening and extending of the Social Safety Nets through programmes delivered by the Ministry of National Mobilisation and other Agencies including the National Insurance Services among others.

### **Political structure & governance**

Saint Vincent and the Grenadines is a parliamentary democracy within the Commonwealth of Nations. Queen Elizabeth II is head of state and is represented on the island by a Governor General, an office with mostly ceremonial functions. Control of the government rests with the Prime Minister and the cabinet. The parliament is a unicameral body with a 15-member elected house of assembly and a six-member appointed senate.

The Governor General appoints senators, four on the advice of the prime minister and two on the advice of the leader of the opposition. The parliamentary term of office is five years, although the Prime Minister may call elections at any time. The judiciary in Saint Vincent is rooted in British common law. There are 11 courts in three magisterial districts. The Eastern Caribbean Supreme Court, comprises a High Court and a Court of Appeals. The court of last resort is the Privy Council. There are three official Towns however they do not manage their own finances or services. As such there is no local government and all six parishes are administered by the Central Government.

This combined Periodic report covers the period 1995 – 2010, a period which spanned two successive political administrations. The Unity Labour Party (ULP) under the political Leadership of Dr. the Hon. Ralph E. Gonsalves, was democratically elected in March 2001 and currently holds power. During the reporting period January 1995- February 2001 the country had been governed by the New Democratic Party (NDP).

The last general election relevant to this Periodic Report was held on December 13th, 2010, which Prime Minister Gonsalves' Unity Labour Party (ULP) won for the third consecutive term. The ULP lost four of its 12 seats, while the opposition New Democratic Party (NDP) gained an additional 4 seats to the 3 it had in the previous legislature. The ULP won 51% of the vote (a negative swing of 1% from 2001) while the NDP garnered the support of 44% of the electorate (a positive swing of 4% from the previous polls). This allowed the ULP to secure 80% of the seats in the House of Assembly.

### **International conventions**

The present Periodic Report is set against the backdrop of other International Conventions to which Saint Vincent and the Grenadines has become a party to since 1994 and which are relevant to the implementation of its obligations under the CEDAW Convention. These International Conventions are as follows:

- The Inter American Convention on the Prevention, Punishment and Eradication of Violence against Women "Convention of Belem do Para" 1994 which focuses specifically on Violence Against Women and which provides Guidelines to States Parties as to the measures they should take to eliminate such Violence. This was ratified in 1996.
- The International Labour Organization (ILO) Discrimination (Employment and Occupation) Convention 1958 (No. 111) which prohibits discrimination on the basis of Sex in the field of Employment and Occupation was ratified in 2001.
- The ILO Equal Remuneration Convention, 1951 (No. 100) which prescribes States Parties to ensure equal remuneration for men and women workers for work of equal value was ratified in 2001;
- The ILO Employment Policy Convention, 1964 ( No. 122) which ensures "freedom of choice of employment and the fullest possible opportunity for each worker to qualify for, and to use his skills and endowments in, a job for which he is well suited, irrespective of race, colour, sex, religion, political opinion, national extraction, or social origin.." (Art. 1) was ratified in 2010.

### **Fulfilment of the Millennium Development Goals**

The Millennium Development Goals are examined with a view to determining how St. Vincent and the Grenadines has fared with respect to removing gender inequities through the fulfilment of the Millennium Development Goals which were set to be achieved by 2015. During the period under review Saint Vincent and the Grenadines has made tremendous strides in achieving the Millennium Development Goals.

In relation to Goal 1. Eradication of Poverty and Extreme Hunger, the Poverty Reduction Strategies pursued by the Government since 2001 have beneficially impacted women. The goal set by the international community of reduction by half of persons who live in extreme poverty was exceeded in that extreme poverty in St. Vincent and the Grenadines has been reduced from 26% to 2.9% according to a Country Poverty Report completed in 2008. Continuing efforts need to be made to address less extreme forms of poverty. In addition, further studies need to be conducted to provide disaggregated data by gender.

In relation to Goal 2: Achieving Universal Primary Education. Saint Vincent and the Grenadines has far exceeded this goal of 100% Universal Primary Education and has also achieved the goal of Universal Secondary Education. From the perspective of Gender Equality there has been very positive developments in the expansion of training opportunities for girls in non traditional areas of study although more needs to be done in this regard.

In relation to Goal 3. Promotion of Gender Equality and Empowerment. With respect to the indicators set for this goal Girls and Women in St. Vincent and the Grenadines have no disparity in primary or secondary education. More work however needs to be done in improving women's representation in representational politics. The issue of gender based violence also needs more programmes as this continues to affect women's ability to fully develop their potential as productive human beings St. Vincent and the Grenadines.

In relation to Goal 4 & 5: The reduction in Child mortality and the improvement in Maternal Health is being achieved in St. Vincent and the Grenadines through successful programmes implemented by the Ministry of Health. This includes Nutrition Support programmes for pregnant women and children, free antenatal care and free or subsidized hospital care.

In relation to Goal 7: Combat HIV/AIDS, Malaria and other Diseases. Through an aggressive programme of HIV/AIDS prevention, care and control the incidence of HIV/AIDS has stabilized although there is a higher incidence of the disease among females in the age group under 5 years, 15-19 and over 65. The majority of AIDS cases among females prior to 2008 has been in the age range 20-39 years. There has been a general decrease in the HIV cases.

## **SECTION II: Specific Information relating to the Implementation of the Articles of the CEDAW Convention**

### **Introduction**

In reviewing St. Vincent and the Grenadines' fulfilment of its obligations under the CEDAW Convention we have found it useful to consider the Articles within the existing broad divisions as established in the official document. Articles 1-5, which establishes the framework for the implementation of the other substantive Articles, was therefore examined together. Article 6 — prohibition of trafficking in women and exploitation from prostitution — is addressed separately as it now forms a comprehensive independent area with its own programmatic and policy guidelines and does not fall clearly within the other "blocks of rights". For example State's obligations in relation to Women's civil and political rights, including equality before the law and equality in Marriage are constituted by Articles 7, 8, 9, 15 & 16. Similarly, State's obligations in relation to Women's economic, social and cultural rights are the subject of Articles 10-14 of the CEDAW Convention. Although, for purposes of clarity this Periodic Report presents and discusses the Articles in a sequential style it is important to note that the linkages between these Articles were considered both in the preparation and presentation of this Report as they are reflected as well as in the practical implementation in St. Vincent and the Grenadines.

**Article 1: Definition of Discrimination against Women**

**For the purpose of the present Convention, the term ‘discrimination against women’ shall mean any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.**

Our understanding of this Article is that this definition of discrimination as contained in the Convention distinguishes between intentional and unintentional discrimination. It is noted that indirect discrimination may result from sex and gender –neutral laws which do not take into account the different life experiences of women and men. Such indirect discrimination may also result from laws which do not pay attention to the potential for discrimination through public or private institutional structures which were historically established without women’s participation and without reflection on their life’s circumstances.

The Initial Report presented to CEDAW outlined the basic context for the implementation of this provision. In essence there has been no substantial change to this situation. In its concluding comments following the submission of the Initial Report in 1997 the CEDAW Committee regretted that so far the Constitution of Saint Vincent and the Grenadines does not make specific reference to the Equality of Women. Based on its commitment under the CEDAW Convention the Government of St. Vincent and the Grenadines sought to implement significant changes to the Constitution during the period under Review. As part of the process of Constitutional Reform commencing in 2003 Constitutional Review Commission was appointed to chart the way forward to developing a new Constitution for the Country. Through a process of consultation from 2003- 2008 with Vincentians locally, regionally and internationally, a new draft Constitution Bill drafted. This Bill contained the following provision with respect to Equality for women and men:

“Art. 21 (1) Women and Men have equal rights and the same legal status in all spheres of political, economic, cultural and social life. All forms of discrimination against women and men on the basis of their sex are prohibited.”

After a National Referendum held in 2010 as required by the Constitution Vincentians elected not to make any changes to the existing Constitution. Notwithstanding, the Constitution of Saint Vincent and the Grenadines continues to provide broad protection from discrimination on the grounds of sex.

Specifically, Article 13 of the present Constitution of Saint Vincent and the Grenadines generally prohibits discrimination of all kinds.

**Article 13**

(1) “Subject to the provisions of subsections (4),(5) and (7) no law shall make any provision that is discriminatory either of itself or in its effect.

(2) No persons shall be treated in a discriminatory manner by any persons acting by virtue of any written law or in the performance of the functions of any public office or any public authority.

(3) In this section, the expression “discriminatory” means affording different treatment to different persons attributable wholly or mainly to their respective

descriptions by sex, race, place of origin, political opinion colour or creed whereby persons of one such description are subjected to disabilities or restrictions to which persons of another such description are made subject or are accorded privileges or advantages which are not accorded to persons of another such description.”

The Constitution of St. Vincent and the Grenadines by virtue of Section 13 (4) allows for the passage of legislation which promotes affirmative action in favour of women.

Section 13 (4) of the Constitution states, inter alia, that:

“Subsection (1) of this section shall not apply to any law so far as that law makes provision for the appropriation of public revenues or other public funds;

(c) for the application, in the case of any such description as is mentioned in subsection (3) of this section (or of persons connected with such persons) of the law with respect to adoption, marriage, divorce, burial, devolution of property on death or other like matters that is the personal law of persons of that description;

(d) whereby persons of any such description as is mentioned in subsection (3) of this section may be subjected to any disability or restriction or may be accorded any privilege or advantage that, having regard to its nature and to special circumstances pertaining to those persons or to persons of any other description is reasonable justifiable in a democratic society.”

By virtue of the above provision, legislation promoting affirmative action to improve the situation of women which implied the use of Public Revenues would not be inconsistent with the Constitution.

The Convention’s broad definition of “discrimination against women” still presents a challenge to the Government of Saint Vincent and the Grenadines. Whilst the Constitution secures the legal framework for protection from discrimination, there still remains much more to be done in the practical interpretation and application of the concept of discrimination in the Vincentian context. The obstacles to be overcome relate mainly to the prevailing social attitudes. A strategic approach to the implementation of the Convention needs to be developed.

Mechanisms to enforce anti- discrimination Laws and practices still need more strengthening and support. The State Party is aware that anti-discrimination provisions must be supported by strong and consistent enforcement mechanisms. As part of this process, the Gender Affairs Division is involved in providing training to police officers and other enforcement agencies in issues relating to Gender Equality. In addition, whilst the CEDAW Convention has not been quoted in any Judgment in the High Court to date in St. Vincent and the Grenadines, Judges and Magistrates have been receiving training in the CEDAW Convention in order to provide them with more information and tools to utilize the Convention in coming to their decisions where the cases may be suitable for these Applications.

The Gender Affairs Division has also been active in ensuring that women continue to become more aware of their right to a life of equality and free from discrimination. The Division has conducted sensitization programmes both on radio and through continuous workshops in communities and schools. These programmes have increased public awareness and discussion on the issue of discrimination against women. Through discussions on such topics as sexual harassment in the

workplace the public is now becoming more aware of the need to remove gender stereotyping.

**Article 2: Obligation to Eliminate All Forms of Discrimination Against Women through Policy Measures**

**States Parties condemn discrimination against women in all forms, agree to pursue by all appropriate means and without delay a policy eliminating discrimination against women and, to this end, undertake:**

- To embody the principle of the equality of men and women in their national constitution or other appropriate legislation if not yet incorporated therein and to ensure, through law and other appropriate means, the practical realization of this principle;
- To adopt appropriate legislative and other measures, including sanctions where appropriate, prohibiting all discrimination against women;
- To establish legal protection of the rights of women on an equal basis with men and to ensure through competent national tribunals and other public institutions the effective protection of women against any act of discrimination;
- To refrain from engaging in any act or practice of discrimination against women and to ensure that public authorities and institutions shall act in conformity with this obligation;
- To take all appropriate measures to eliminate discrimination against women by any person, organization or enterprise;
- To take all appropriate measures, including legislation, to modify or abolish existing laws, regulations, customs and practices which constitute discrimination against women;
- To repeal all national penal provisions which constitute discrimination against women;

The CEDAW Convention is not incorporated into the Domestic Law of Saint Vincent and the Grenadines and therefore the terms of the Convention must be given legitimacy at the local level through separate domestic legislation or through Judgements. In addition, implementation of the Articles within the jurisdiction must be effected by relevant programmes within the framework of government, the private sector or civil society. The following update of Saint Vincent and the Grenadines' fulfilment of its obligations under Article 2 takes into account the relevant General Recommendations No. 12 and No. 16 made by the Committee on the Elimination of Discrimination against Women.

**Article 2 (a) Embodiment of Equality in the Constitution**

A general policy of prohibition of discrimination on the basis of sex by promoting equality of men and women is embodied in Article 13 of the Constitution of Saint Vincent and the Grenadines as discussed under Article 1 of this Report.

As stated in discussions with respect to under Article 1, The Government of St. Vincent and the Grenadines sought to implement significant changes to Constitution during the period under Review through the process of Constitutional Reform from

2003-2008 but was unsuccessful. This Bill contained the following important provisions with respect to Equality for women and men:

“Art. 21 (1) Women and Men have equal rights and the same legal status in all spheres of political, economic, cultural and social life. All forms of discrimination against women and men on the basis of their sex are prohibited” (St. Vincent and the Grenadines, Constitution Bill 2009).

As part of the Democratic Process, the people of St. Vincent and the Grenadines at a Referendum held in 2010 decided not to change the existing Constitution.

The protection of the Courts for the infringement of any Constitutional Right is guaranteed under Section 16 of the Constitution. This section guarantees the right of access to the Courts in order to assert a claim arising from infringement of fundamental rights of all persons.

St. Vincent and the Grenadines continues as a signatory to International Conventions such as the CEDAW. During the Review Period it became a Signatory to the Inter American Convention on the Prevention, Punishment and Eradication of Violence against Women (Belem do Para) however, it still has not ratified the Optional Protocol to the CEDAW Convention.

#### **Article 2 (b) Embodiment of the Principle of Prohibition of Discrimination Through other Legislation**

In Saint Vincent and the Grenadines, one major piece of legislation has been passed during the Review Period pertaining to the prohibition of discrimination against women. The **Protection of Employment Act, (2004) Cap 212** specifically prohibits the employer from terminating the services of an employee on various grounds including sex, marital status, pregnancy (Sec. 16 (d)) reasonable absence from work due to family emergencies or responsibilities (Sec. 16 (e)) or absence of work during maternity leave as certified by a medical practitioner (Sec. 16 (f)). Similarly, the Equal Pay Act, (1994) Cap 210<sup>1</sup> was passed to correct discrimination against women, specifically prohibits any employer from discriminating against women with respect to equal pay for comparable work.

In addition other Legislation have been enacted which in effect supports the Principle of prohibition of discrimination against women. Such legislation provide relief for women in specific situations. The main example of this is Maternity Leave. Under the **Wages Council Act CAP 217** several Regulations were promulgated specifically making provisions for Maternity leave for certain classes of Workers. These include **Wages Regulations (Agricultural Workers ) Order 2008; Wages Regulations (Domestic Workers) Order 2008; Wages Regulations (Security Workers ) Order 2008; Wages Regulations (Hotel Workers) Order 2008; Wages Regulations (Industrial Workers) Order 2008; Wages Regulations (Workers in Offices of Professionals) Order 2008; Wages Regulations (Shop Assistants ) Order 2008; The National Insurance Services Act, Cap. 229** of the Laws of Saint Vincent and the Grenadines 2009 also provides for improved maternity leave benefits for working women and for the partners of employed men. Specific details on these provisions are contained under Article 11.

<sup>1</sup> Act No. 3 of 1994.

### **Gender based violence**

During the period under review the main legislation passed in 1995 has been the **Domestic Violence (Summary Proceedings) Act, Cap 228**<sup>2</sup> under which applications can be made by the spouse in respect of whom domestic violence has been perpetrated for an injunction, a Protection Order, a Tenancy Order or an Occupation Order. Application for these Orders are made only in the Family Court, a specialized Court established under **the Family Court Act, Cap 25**, which has sole Jurisdiction in all matters relating to Sexual Offences, Maintenance and Juvenile Offenders. The Family Court legislation enables all such applications to be heard in camera.

The **Domestic Violence (Summary Proceedings) Act, Cap 228** protects against physical violence. Mental injury and harassment. Persons who can seek relief include persons who are living together as husband and wife although not married to each other; persons who are married to each other; persons who were married to each other; persons who were living together as husband and wife who are not married to each other.

The Act does not provide a comprehensive definition of Domestic Violence and has therefore cannot be used to protect against psychological abuse and sexual violence. It states that the court can make an Order once it is satisfied that the Respondent : “has used or threatened to use violence against, or caused physical or mental injury...and is likely to do so again; or has committed or attempted to commit any Sexual Offence listed in the Criminal Code or has conducted himself in a manner which is sexually offensive.” (Sec. 4 (2).

It does not allow persons who are not living together (i.e. in a Visiting Relationship) but who are intimate to apply, but it does not allow for police officers or social workers to apply for an Order on behalf of the woman who is being abused. Any member of the household may apply on his own behalf or on behalf of any other member of the household. Persons who are in same sex relationships are excluded from the categories of persons who can apply. The Act does not criminalise Domestic Violence, it however provides that if a Protection Order or other Order made by the President of the Family Court is breached, criminal sanctions can apply.

In St. Vincent and the Grenadines analyses have shown that gender based violence is a systemically linked to the inequality of power relations which result in discrimination against women.<sup>3</sup> In addition to legal remedies, victims of Domestic Violence can receive counselling and tangible support from the Gender Affairs Division, the Family Services Department and from a non-governmental organization, Marion House. The Gender Affairs Division has developed a draft Action Plan on Domestic Violence and has conducted Gender Sensitisation training for Police Officers under the State Accountability Project supported by UN Women. In addition, the curriculum for the training of new police recruits now includes a Gender Sensitisation Module.

The discussion of the creation of a National Shelter for victims of Domestic Violence has commenced. It is expected that at this Centre, victims of Domestic Violence will in future be able to receive counselling, support and will be able to

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<sup>2</sup> Act No. 13 of 1995.

<sup>3</sup> An Evaluative Study of the implementation of Domestic Violence Legislation: Antigua and Barbuda, St. Kitts/Nevis, St. Lucia and Saint Vincent and the Grenadines, ECLAC, 2001.

stay at the Shelter until other arrangements are made for the accommodation of themselves and their children. The recently established Family Court also provides counselling services through its Counsellors on staff for victims of Domestic Violence.

Saint Vincent and the Grenadines is a member of The Organization of Eastern Caribbean States which, as part of the OECS Family Law and Domestic Violence Project, has developed a Model Bill to address the issue of Domestic Violence. This Model Legislation has not yet been approved by the Parliament of Saint Vincent and the Grenadines, however it has been discussed at the National Level in consultations held in SVG.

Procedures in matters of Domestic Violence: On receiving a complaint of Domestic Violence, the police record a statement in writing from the victim. Medical Forms are issued to see the District Medical Officer and these Forms are returned to the police who should conduct a full investigation into the complaint, following upon which the alleged perpetrator is arrested and charged and taken before the Family Court, Magistrates Court or High Court depending on the seriousness of the allegation, where Criminal Proceedings will ensue. Most Police Officers are trained to handle cases of domestic violence. However the police often express frustration with the fact that women who commence criminal proceedings against a man with whom they are in a relationship with usually do not continue with the case after the matter has been filed. Police tend to not take such Domestic Violence seriously in cases of repeat complaints where the woman has returned to live with the man after a previous incident. There is no mandatory response requirement on the part of the Police nor are they required to complete a Domestic Violence Report which details the abuse or related investigations and final outcome.

One of the ongoing issues which still need to be addressed in SVG is the lack of statistics on Domestic Violence. At the time of writing this report work is being done to design a data collection mechanism within the various departments and agencies that interface with cases of Domestic Violence (Police, Family Court, High Court, Family Services Division) to systematically collect data disaggregated by age, type of violence etc. This will continue to be addressed, however, it is also known that due to cultural reason some incidents of domestic violence are not reported to the police. The Police Department has been instrumental in supporting the efforts of the Gender Affairs Division in its programmes to combat Domestic Violence.

### **2 (c) Protection of the Legal Rights of Women**

The legal system in St. Vincent and the Grenadines is equally available to women where they are of the view that they have been discriminated against. Legal action may be instituted within the context of a specific law or generally within the framework of Section 16 of the Constitution.

No cases have been brought in the High Court to date by any woman in St. Vincent and the Grenadines alleging discrimination under the Constitution. Obstacles to the pursuit by women of redress includes the relatively high cost of instituting legal action in the High Court and the Court of Appeal.

**2 (d) Conformity of Public Authorities and Institutions with Obligation to refrain from acts or practice of discrimination against women**

Article 13 (2) of the Constitution of St. Vincent and the Grenadines prohibits discrimination by any person in the performance of any public office or any public authority.

Public authorities and institutions in St. Vincent and the Grenadines are guided by the terms and conditions of the legislative enactments which are laid down by Parliament. Members of the public are generally treated similarly irrespective of gender. In some cases due to the stereotyping of women as weaker and requiring of protection, women are treated with more courtesy and respect than men. Conversely, due to cultural values supportive of male dominance, it has been recorded that women are sometimes discriminated against by members of the police force in cases where the police are required to pursue investigations into acts of domestic violence. In these situations, women are sometimes actively discouraged from pursuing their complaints under the **Domestic Violence (Summary Proceedings) Act Cap 228** or may even be treated with contempt and hostility by members of the police.<sup>4</sup> Obstacles to the further monitoring of Police actions in relation to domestic violence include the lack of human resources within the Family Court system as well as the absence of an Ombudsman or other similar authority to report complaints of administrative abuse.

Measures taken by the Government of Saint Vincent and the Grenadines in partnership with civil society organizations to address this issue includes the implementation of training programmes for police. During the period under review police recruits were systematically exposed to training on Gender Issues prior to their graduating as police officers. Senior Police Officers have also been sent overseas on training courses which address Gender issues. In the area of recruitment, more women are now becoming police officers and are accessing promotion to the higher ranks of the police force such as Superintendents and Inspectors.

The strengthening of the Gender Affairs Division (formerly called the Department of Women's Affairs) has been a critical achievement during the period under review. This included reorganizing and renaming the Division and reorienting its work towards a more targeted approach in the areas of Gender Mainstreaming and Gender Policy development. The Gender Affairs Division has the responsibility for mainstreaming Gender into all the various Government Departments. Despite financial and human resource constraints, the Division has been involved in sensitizing various Government Departments on Gender issues. The Gender Affairs Division sits on several intersectoral committees and task forces, including committees on trade, health and poverty alleviation.

The Ministry of Finance partnered with the Eastern Caribbean Economic Management Programme in a Gender Mainstreaming Initiative in order to define strategies for integrating gender into Macroeconomic planning. The specific activities included the collection of available sex-disaggregated labour, work and other economic data; the review of legislation governing the relationship between the Gender Affairs Division, the Ministry of Finance and other government Agencies and training in concrete tools for the formulation of a gender sensitive National Budget.

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<sup>4</sup> Ibid., pg. 12-13.

One of the Major prongs of GOVSVG fulfilment of the obligations under this Article during the period under Review has been the development of several strategies for Poverty Reduction. The development of an Interim Poverty Reduction Strategy Paper (IPRSP) in 2003 was done through a public sector/civil society partnership under the leadership of an umbrella body called the National Economic and Social Development Council (NESDEC). The NESDEC consisted of representatives from private sector, civil society and senior public servants held national consultations in the urban and rural areas of St. Vincent and the Grenadines to develop the IPRSP. The impact of the IPRSP on women is immense as women are the main beneficiaries of the programmes and policies intended to alleviate poverty.

**2 (e) Measures to eliminate discrimination against women by any person, organization or enterprise**

During the period under Review, St. Vincent and the Grenadines signed three major International Conventions. In 2001 Saint Vincent and the Grenadines ratified the **International Labour Organization (ILO) Discrimination (Employment and Occupation) Convention 1958 (No. 111)** which prohibits discrimination on the basis of Sex in the field of Employment and Occupation. In that same year (2001) The **ILO Equal Remuneration Convention, 1951 (No. 100)** which prescribes States Parties to ensure equal remuneration for men and women workers for work of equal value was ratified by SVG and in 2010 the **ILO Employment Policy Convention (1964) No. 122** which ensures “freedom of choice of employment and the fullest possible opportunity for each worker to qualify for, and to use his skills and endowments in, a job for which he is well suited, irrespective of race, colour, sex, religion, political opinion, national extraction, or social origin..” (Art. 1) was ratified. The effect of these three Conventions has been to ensure the elimination of discrimination against women in the area of employment by all persons, including the private sector. Whilst the Constitution of Saint Vincent and the Grenadines prohibit discrimination on the ground of sex, measures taken to implement this in practice include the provision of support services for women who feel they have been victims of discrimination.

Measures to address this issue also included the establishment of a Family Court under the **Family Court Act, Cap 25**. The Family Court provides a non-combative setting where the punishment is not emphasized and where the role of the social support services is stressed. Notwithstanding, within the Family Court, women can directly pursue remedies in the protection of their own legal rights in areas where they have been discriminated against other persons such as spouses, partners or other persons within the context of particular legislation.

Obstacles to the full implementation of the CEDAW Convention in this regard include the absence of sufficient information to women on their rights. During the period under review, legal aid was not available to women. There was also no shelter, or dedicated counselling agency or other similar facility where women who were facing the effects of discrimination could turn. Nonetheless the **Gender Affairs Division** undertook much of the role of counselling and seeking support for women in distressed circumstances utilizing their very limited human and financial resources.

The Civil society movement in St. Vincent and the Grenadines has also contributed to the implementation of Gender sensitive policies and practices. The Windward

Island Farmers Association (WINFA), an NGO which promotes the interests of farmers in securing sustainable livelihoods, has drafted a proposal for gender budget training of farmers in rural communities for the purpose of monitoring government policies.

**2 (f) & (g) Measures to modify or abolish existing laws, regulations, customs and practices which constitute discrimination & repealing of discriminatory Penal Provisions**

Given its history and socio-cultural development, Saint Vincent and the Grenadines has inherited some legislation which is discriminatory in scope. However not all of these laws have been reviewed to fully understand the extent of the discrimination. During the period under review, the **Department of Women's Affairs** as the Gender Affairs Division was formerly known, took the lead in promoting the passage of the **Domestic Violence (Summary Proceedings) Act, Cap 228** which has directly modify the impact of practices which are considered discriminatory.

The **Domestic Violence (Summary Proceedings) Act Cap 228** represents an important measure in the fulfilment of this Article. Prior to its passage in 1995, the only available means of redress for women was under the **Domestic Violence and Matrimonial Proceedings Act, Cap 228**, an Act passed by Parliament in 1984 which gave the High Court jurisdiction to grant injunctions against an abusive spouse and to give an abused partner matrimonial rights. In this Act Spouse was defined as a man and woman living in the same household as husband and wife. The **Domestic Violence (Summary Proceedings) Act Cap 228** for the first time gave unmarried persons or those in a "common law union" the right to apply for a much broader range of orders in situations of domestic violence. It therefore corrected the discrimination inherent in the situation where only married persons could apply for protection and relief in such situations. In addition, it allowed greater access to this relief by placing the implementation of the law within the jurisdiction of the Family Court, which is a court of first instance and therefore less costly to access.

One outstanding issue which can be considered discriminatory still remains to be addressed within the context of the **Domestic Violence (Summary Proceedings) Act, Cap 228**. It does not provide for applications from women who are in "visiting unions", that is, those 10.7% of the population whom the 2001 Census describe as not residing together or are not sharing a household. This matter remains to be examined and tested before the Courts as being contrary to Section 13 (1) of the Constitution.

Saint Vincent and the Grenadines also, during the period under Review, became a signatory to the **Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women (Belem do Para)**.

Important work remains to be done. There is a critical need for a review of all legislation to assess their conformity with the Convention. Whilst the prevailing social customs and traditions may not appear to be as harsh or as negative to women as in some other countries, much work is still required to change pervasive and negative perceptions of women in the society. It is these perceptions which allow the systemic violence against in the society to continue to be perpetrated.

There have been no penal provisions discriminatory against women which have been identified to date. However the Government of Saint Vincent and the

Grenadines maintains a policy that would not allow such discriminatory provisions to prevail.

**Article 3: measures to ensure the full development and advancement of women**

**States Parties shall take in all fields, in particular in the political, social, economic and cultural fields, all appropriate measures, including legislation, to ensure the full development and advancement of women, for the purpose of guaranteeing them the exercise and enjoyment of human rights and fundamental freedoms on a basis of equality with them.**

Measures that were described in the Initial Report 1981- 1994 continue to exist and to be developed. These include the very significant Equal Pay Act, 1994 which provisions were implemented during the period under review.

St. Vincent and the Grenadines became a signatory to following Conventions:

- The ILO Discrimination ( Employment and Occupation) Convention 1958 (No. 111) - 2001
- The ILO Equal Remuneration Convention, 1951 (No. 100) - 2001
- The ILO Employment Policy Convention (1964) ( No. 122) - 2010
- In 2010 the Protection of Employment Act, Cap 210 by the Parliament of St. Vincent and the Grenadines was passed.

**Strengthening of the Gender Affairs Division**

During the period under review the strengthening of the Department of Women's Affairs enabled it to more effectively carry out its functions as the promoter of women's interests in the country. This included the reorganizing of the Department and its continued evolution into the **Gender Affairs Division**. This reflects a reorientation of the Department towards a more targeted approach in the areas of Gender Mainstreaming, Gender Policy Development and implementation etc.

This evolution marked more than a cosmetic exercise on the part of the Government but indicated a commitment to the long term thrust to work with both men and women in the harmonization of gender relations. This is a reflection of the Governments embrace of modern thinking which understands that both men and women have been impacted by negative historical influences which can only be overcome by a commonality of purpose, process and action. It is for this reason that the work of the Gender Affairs Division is no longer reported as a part of the country's obligations under Article 4 of the Convention, but as a more integrated element of the country's developmental strategy, whereby the potential of all our citizens must be fully developed and utilized.

The work of the Gender Affairs Division has begun to shift away from a social welfare modality of temporary handouts and individual support to women, to that of building bridges with other Government Ministries, the Private Sector and Civil Society organizations in an effort to provide more acceptance and understanding of the role and significance of Gender relations in building an equitable society. Whilst this policy is not formally articulated, it is being slowly implemented in practice and its effectiveness still remains to be evaluated. Notwithstanding, the absence of a fully articulated policy framework, the stated Mission of the Division is **“To ensure**

**that all citizens of Saint Vincent and the Grenadines have equal access to opportunities that will shape their social, cultural, spiritual, educational, economical and political development”.**

In the continued process of development of the Gender Affairs Division, the Government specifically considered **General Recommendations No 1 – 3; No. 6 and No. 9** of the Committee on Elimination of Discrimination Against Women

The **Objectives** of the Gender Affairs Division are to:

Increase public awareness on Gender;

- Strengthen partnerships for the formulation and implementation of a Gender policy.
- Collaborate with other departments/Government Ministries and organizations to institutionalize the responsibility for gender equality throughout government;
- Create a systematic data collection system and Influence departments/Government Ministries and NGOs to institute systems to collect and store disaggregated data;
- Research the current Gender situation in St. Vincent and the Grenadines through situational analyses e.g. employment, migration, income, etc.
- Introduce Gender Mainstreaming initiatives in the key sectors and strengthening Gender Mainstreaming through continuous reviews of legislative initiatives around a gender equity framework;
- Formulate a policy on gender equity and implement an action plan that will ensure gender integration into all policies, procedures and programmes,
- Address the issue of prevention and eradication of domestic violence and educational, social, cultural, and economic growth of the marginalized.”

The five member staffing of the Division has not been substantially increased and this remains an obstacle to the work of the Division. This matter will continue to be discussed within the context of limited financial resources at the national level.

The work programme of the Gender Affairs Division consisted of a) **drafting policy** documents, including a Draft Gender Development Policy, conducting a situational analysis in preparation of a Draft National Policy and Action Plan for Gender Equity; providing counselling and referral services to males and females; b) providing **Education and Training** to community groups, students at secondary and tertiary educational institutions and developing and conducting public awareness programmes in the media on the CEDAW and other relevant Conventions as well as other gender issues; c) developing or participating in **Advocacy, and Networking programmes** at the local, regional and international levels.

During the period under Review, preparations were carried out for the conduct of the 2001 Population Census. The Gender Affairs Division was able to observe that the questionnaires included appropriate questions related to sex disaggregated data.

Throughout 2007-2009 the Gender Affairs Division instituted a series of Interventions aimed at reducing Gender Based Violence, poverty, addressing

HIV/AIDS, sexual and reproductive Health, strengthening legislative reform and gender responsive social policies.

Through its programme of providing support to Teen parents mothers the Gender Affairs Division in collaboration with the Ministry of Education and the Family Services Division continues to work to ensure that girls who become pregnant while in school receive continued, non-discriminatory access to education. The Government finances the return of teenage parents to school through payment of fees, purchase of books, provision of transportation and the provision of day care services for babies.

**Other Initiatives:** In 2001 the Government commenced preparation of an Interim **Poverty Reduction Strategy Paper** which will seek to address, among other issues, the relationship between Gender and Poverty and will seek to identify strategies for this development. This paper was completed in 2002 and provides a critical source of direction for poverty reduction and the way forward. It addressed women's concerns and provided an institutional framework for strengthening women's involvement in National Development. This will undoubtedly contribute to the advancement of women in the State and will feed into the work of the Gender Affairs Division.

Support is also provided by the **National Council of Women** which is a Non-Governmental umbrella body representing various women's organizations. Collaboration continues between the Government and the National Council of Women in several key areas including the hosting of events to mark International Women's Day, among others. The Government of Saint Vincent and the Grenadines provides a yearly grant to the National Council of Women which the organization utilizes to carry out its work of advocacy on women's issues.

#### **Article 4: temporary special measures**

**Adoption by States Parties of temporary special measure aimed at accelerating de facto equality between men and women shall not be considered discrimination as defined in the present Convention, but shall in no way entail as a consequence the maintenance of unequal or separate standards; these measures shall be discontinued when the objectives of equality of opportunity and treatment have been achieved.**

**Adoption by States Parties of special measures, including those measures contained in the present Convention, aimed at protecting maternity shall not be considered discriminatory.**

**Consideration is given to General Recommendation No. 5 urging State Parties to make use of Temporary Special Measures in the preparation of the Response of Saint Vincent and the Grenadines to this Article.**

The State Party notes the Committee's Observation No. 134 and wishes to state that it is working towards implementing this policy in the context of the improvement of the conditions of service for all workers.

The Government of Saint Vincent and the Grenadines continues to take measures, within the context of its limited resources for the full functioning of the main body the Gender Affairs Division, referred to heretofore, which was established for the integration of women into national development.

Special measures adopted to accelerate equality are the continued maintenance of Maternity Leave provisions as described in the **Initial, Second and Third Report** under Article 11. These include benefits provided under **The National Insurance Scheme** Legislation, the **Wages Regulation** as well as under individual collective agreements negotiated by various Trade Unions. There is still no comprehensive Maternity Leave Legislation.

The Protection of Employment Act, CAP 210 which was enacted into Law in 2010 specifically prohibits the dismissal of a female on the grounds of pregnancy or maternity leave issues.

The Government of St. Vincent and the Grenadines has been focusing over the past ten years on significant Poverty Reduction Strategy and Education Reform which includes programmes which impact most significantly on women at every level and in every sector. The Poverty Reduction programmes have included in the area of Health - provision of Nutrition Support to Pregnant women and Lactating Mothers, Issuing of free Anti-retroviral drugs to combat mother to child transmission of HIV infection ; provision of free Home Help for the Elderly, the majority of whom are female; the providing of free water services to the elderly, the majority of whom are women; free medical services are provided for the poor at Government Run clinics and hospitals. Poverty Reduction programmes impacting positively on women have also included the provision of increased levels of Social Security benefits, Public Assistance (cash transfer payments), as well as non-contributory pensions for the elderly.

In relation to Education Reform, the Government has provided improved educational facilities at the primary, secondary and tertiary levels which have been advantageous to girls and women, as their performance has been so outstanding that boys and men have become a concern. The focus of Education has been significant for females as the majority of them have in the past been occupied in low salaried, traditional occupations such as shop assistants, domestics and clerks. Training in non-traditional areas such as technical and vocational fields is now targeted at females in order to increase their marketability in these areas. At the post secondary level, the Government has aggressively sought and obtained scholarships and training opportunities in such fields as nursing which is dominated by women.

**Other Special Measures** include:

The development by the Gender Affairs Department in collaboration with the Ministry of Education, Youth and Sports of a programme for continuing education for Teenage mothers.

Provision of training to Police Officers in the areas of management of Domestic Violence cases to enable them to deal more sensitively with women in these matters.

No quotas have been instituted for the inclusion of women in public office or in other areas.

The promotion of National HIV/AIDS awareness campaigns which provide information to girls and women about the importance of self-education on issues relating to their sexual health and promoting the principles of women's responsibility for choices made in relation to sexual habits.

Working with Men's' groups and men's organizations to sensitize men and boys on the importance of men becoming educated on Gender issues. Days of activism

campaigns are now principally organized around men's involvement, reaching previously unmet communities and audiences.

#### **Article 5: the elimination of gender stereotypes**

**Consideration is given to General Recommendation No. 12 in the preparation of the Response of Saint Vincent and the Grenadines to this Article.**

*States Parties shall take all appropriate measures:*

*(a) To modify the social and cultural patterns of conduct of men and women with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women;*

*(b) To ensure that family education includes a proper understanding of maternity as a social function and the recognition of the common responsibility of men and women in the upbringing and development of their children, it being that the interest of the children is the primordial consideration in all cases.*

The Government of St. Vincent and the Grenadines has noted the importance of removing prejudices and practices based on stereotyped roles for men and women. In this regard, it has been working assiduously through its Poverty Reduction Strategy and its Education Reform Programme to train the population towards a greater acceptance of non traditional roles for women. The success of this strategy has been reflected by the increased presence of women at the leadership and management levels in the private sector, public sector, non-traditional economic sectors, sports and cultural activities. Women have for example been crowned Calypso Monarch twice at the Vincentian National Carnival Celebrations during the period under review, a role once seen as the purview of men.

Measures to modify prejudices expressed through social and cultural patterns of conduct have been implemented mainly through the programmes of the Gender Affairs Division in their Gender Sensitisation programmes with men, women and teenage girls in particular. The Gender Affairs Division has instituted training programmes for men during the period under review in order to increase their awareness of common stereotyped roles for men and women and to educate them further with respect to gender equality. This was conducted under a special project known as the "Cariman Initiative" sponsored by UNIFEM.

In considering the progress made during the review period the emphasis must be placed on three issues. Firstly, the situation relating to the perception in the society of non-marital unions of which there are two main types - what are known as "Common-Law Unions and those known as "visiting relationships". Secondly, the issue of domestic violence and violence against women in general and the concerns related thereto. Consideration is given to **General Recommendations No. 12 & No. 19** in the preparation of section of the Report on the fulfilment of the obligations under this Article. Thirdly, the issue of the removal of girls from secondary school once they become pregnant.

#### **(a) Discrimination against women who are in unions other than marriage**

Within St. Vincent and the Grenadines there are three forms of family unions. For the first time the data gathered by the 2001 Census showed the following breakdown – Legally married (24.6%), Common-Law (14.7%) and Visiting Unions (10.7%).

The remainder of the population over the age of fifteen was classified as either “Not in a Union” or “Never Married”. Although the data showed that the legally married predominated, if taken together, the two categories of “Common-Law” and “Visiting Union” equal to those in the “Legally Married” category. What also emerged was that the corresponding fertility data showed that women in the categories of Common-law and Visiting Unions account for 58.5% of the total births whilst 19.0% of babies were born to women “Not in a Union”. The significance of this data is that the prevalence of women in the society who are not legally married has implications for issues of discrimination in several areas.

Prevailing social and cultural attitudes in Saint Vincent and the Grenadines, as in the rest of the Caribbean generally perceive non-marital unions as unfortunate if not undesirable, and of a lesser value than marital unions, notwithstanding the data which indicates that such unions other than marriage are in the majority. Perceptions of Women in such unions vary depending on the social class of the individual. Certainly the ideal of marriage is expected the higher up the social ladder women aspired to climb. The prejudices expressed through the positive stereotyping of married women and the negative stereotyping of women in unions other than marriage include views that such women are “loose”, “easy” “all over the place” and generally of lesser value than one who was honoured with a wedding ring. There are some signs however that the attitudes towards such unions are changing especially with respect to children born of such unions. These children are now legally entitled to equally claim property belonging to the father.

The main obstacle to its being addressed lies in the prevalence of the influence of traditional values which promote marriage as the ideal. The impact of this negative stereotyping on women who through no fault of their own might not be married is discriminatory in its effect. Such discrimination is realized in its impact on women in unions other than marriage in very real terms. They are not expected by society to enjoy as of right some of the privileges accorded to their married sisters such as the automatic public respect, protection of the law of the property jointly acquired within the union and other critical issues such as financial support of their partner. There is no law protecting their rights to property acquired during the union. As a result, the social context which would call for the required legislative or administrative measures to address these and other discrepancies in the law is absent.

It is a sensitive issue within the society despite the overwhelming evidence that the majority of the unions do not have the sanction of the law. It also presents a challenge to legislators to determine what unions will be officially recognized. The approach that has been taken is to ensure that the children of such unions are not unduly prejudiced, and legislation has been passed with this intent. This issue will be further discussed under Article 16.

Measures put in place to address discrimination against women in unions other than marriage include the attempt by Government to provide basic health and social services to all women on an equal basis. All educational opportunities and opportunities for advancement within the public and private sector are open to all women.

**(b) Violence against women generally and domestic Violence in particular**

Stereotyping of women by men is directly linked to domestic violence and violence against women generally by encouraging the view that women should be subordinate to men and that men are entitled to control, punish, belittle, humiliate or generally abuse women. During the review period the context for the manifestation of this behaviour continued to be analysed through ongoing research in order to better understand the social and cultural dynamics at work. In this regard, it was very important for Saint Vincent and the Grenadines to have participated in the **OECS Domestic Violence and Family Law Reform Project**, a project which was initiated by the OECS Supreme Court during the review period. This very comprehensive research project analysed in depth for the first time, many critical aspects of Family Law with a view to critiquing their implementation within the OECS countries. It also analysed some of the causes of domestic violence in Saint Vincent and the Grenadines and other OECS countries and evaluated the impact and effectiveness of existing legislation as well as the social services available to meet the needs of women who have been affected by domestic violence.

The recommendations of the Reports arising from this project were utilized as the basis of National Consultations in each OECS country, including Saint Vincent and the Grenadines and served to generate serious discussion in the public on the issues pertinent to the Convention on the Elimination of Discrimination Against Women. The Government of Saint Vincent and the Grenadines as a member of the OECS, fully endorsed and supported the project. The staff of the Ministry of Social Development were involved in the process of National Consultations.

The main findings which emerged from the research was that the **Domestic Violence (Summary Proceedings ) Act**, represented a major breakthrough for women in that it provided for the first time in the history of the country an effective and affordable remedy for women who were subject to domestic violence. Notwithstanding, it was also discovered that certain aspects of the implementation of the Act required urgent attention. For example, whilst the Act provides for the issuance of Protection Orders and Occupation Orders to women who are found to be victims of domestic violence, there are no penalties for breach of an Occupation Order. In addition the tendency has been for breach of Protection Orders to be treated lightly although the law provides for stringent penalties these have not been often enforced to the full extent of the Law. No measures have yet been taken to address the above situation in relation to Occupation Orders. This matter has to be addressed by an amendment of the legislation.

The major obstacle to the implementation of this legislation is the issue of enforcement. Some victims fear that they cannot be protected by the authorities from the violence of the perpetrator, if that person is determined to breach the law. There is no crisis centre in the country and no shelter where abused women can go and in a small society the whereabouts of persons are relatively easy to ascertain.

Public awareness programmes continue to be conducted by the Gender Affairs Division around the issue of Domestic Violence and gender based violence in general. In addition, the work of the Gender Affairs Division in conducting training courses in rural communities and in secondary and tertiary educational institutions has meant that there is now more information available to young people on the issues related to violence against women. There has been much media coverage

around the issue especially where high profile cases occur involving brutal rapes or murder of females. Media coverage has been sensationalist for the most part.

Government has accorded high priority to the reduction of domestic violence and violence against women in general. In this regard the work of the Family Court is strongly promoted within the society and women are encouraged to seek redress in circumstances of abuse. The passage of the **Domestic Violence (Summary Proceedings) Act** is an important measure in this regard.

In cases of violent crime against women, the police are diligent in their search for the perpetrators, particularly in cases of rape or murder. Government has continued to provide police and prosecutors with training and equipment to more effectively prosecute cases of violent crime.

All women regardless of marital status have access to the courts, except where particular laws have only give married women the rights to redress. One example of this is the difference between the **Domestic Violence and Matrimonial Proceedings Act, Cap 227** and the **Domestic Violence (Summary Proceedings) Act CAP 228**. The former Act provides for the married woman to apply to the High Court for redress whereby she is able to be granted an order for the Arrest of her spouse who has committed an act of violence against her. The **Domestic Violence (Summary Proceedings) Act** on the contrary does not enable the President of the Family Court to order the Arrest of the perpetrator of Domestic Violence unless he breaches the Order of the Court.

(c) **Discontinuance of Pregnant teenage girls in Secondary School**

The practice is still in existence for girls to discontinue secondary school upon getting pregnant. Most of them are removed by their parents or voluntarily discontinue. This reflects the impact of the stereotype that says that girls are to be punished for pursuing certain behaviour whilst boys are free to do what they choose. Mothers still raise their sons to be outside, free to move within society whilst girls are not considered “nice” for doing similar actions. Girls are expected to stay at home, assist with domestic chores and act with propriety.

The challenge presented to the educational system by girls who do not follow this behavioural pattern still needs to be addressed. As discussed in an earlier section, the Gender Affairs Department has collaborated with the Ministry of Education to put in place opportunities for pregnant teenagers to continue their education.

**Measures to promote Family Life Education**

Recognition of the seriousness of the problems associated with the growing incidence of HIV AIDS on the society at all levels has created a new climate of openness in Saint Vincent and the Grenadines in relation to public discussions of sexual responsibilities for males and females. This has been reflected in the depth and extent of information provided on the airwaves, the television and other forms of public expression which normally were not encouraging such discussions.

Family Life Education programmes have been impacted by this. Programmes delivered by the Ministry of Health and the Ministry of Education Youth and Sports targeting youths both in and out of school have become more comprehensive.

The Family Planning Unit within the Ministry of Health conducted youth camps for adolescents which dealt with such issues as responsible parenting, teenage pregnancy, sexually transmitted diseases etc. Most of these programmes were ongoing during the review period.

The Family Planning Unit conducts education programmes targeting both boys and girls. These programmes include information on parental and sexual responsibilities. In the present context, where there is an increasing incidence of HIV, there is a bombardment of education campaigns aimed at addressing responsible sexual behaviour and promoting responsible parenting. These include television and radio advertisements, street banners, flyers, workshops and programmes by the Family Planning Unit as well as the HIV/AIDS Unit in the Ministry of Health and the Environment. The Ministry of Education Youth and Sports collaborates with the private sector and civil society to organize debates focusing on the issue of safe sex and responsible parenting. The Gender Affairs Department also conducts radio programmes which contribute to the education of young people on family life issues.

**Conclusion:** Government has sought to focus on education as a means of providing young people with access to a wider level of ideas and information to combat the stereotyping in the society. Girls are encouraged to seek and pursue training opportunities in non-traditional areas and to generally educate themselves in order to be financially independent. The fact that more girls than boys are accessing secondary and tertiary education is a tribute to this approach.

#### **Article 6: suppression of all forms of exploitation of women**

*States Parties shall take all appropriate measures, including legislation, to suppress all forms of traffic in women and exploitation or prostitution of women.*

Consideration is given to General Recommendation No. 12 & 15 in the preparation of this Report.

In consideration of the Initial Report, the Committee requested further information on traffic in women and prostitution. However whilst the tourism sector has replaced bananas as the main contributor to GDP, the phenomenon of its relationship with prostitution has not been researched. However, there has not been any observed increase in prostitution.

Drug trafficking has been reported to be on the increase and Saint Vincent and the Grenadines has been sometimes considered a transit point for drugs from South America on the route to the United States. What has been reported however, has been the increasing use of women as drug smugglers or “mules”. These women, often from poor backgrounds are induced by large financial rewards and are utilized to carry drugs to various regional and international transit points. This results in criminal prosecution of these women when they are caught and their being sentenced to severe penalties, usually long periods of incarceration either locally or overseas. The drugs are sometimes inserted into their bodies resulting sometimes in death. This phenomena still needs to be researched in order to explore the possible links with prostitution as well as the full ramifications of this aspect of exploitation of women. It must be noted that whilst prostitution is prohibited under Section 285 (d) of the Criminal Code no data has been recorded of convictions under the law.

**Article 7: the participation of women in public and professional life**

*States Parties shall take all appropriate measures to eliminate discrimination against women in the political and public life of the country and, in particular, shall ensure to women, on equal terms with men, the right:*

*(a) To vote in all elections and public referenda and to be eligible for election to all publicly elected bodies.*

*(b) To participate in the formulation of government policy and the implementation thereof and to hold public office and perform all public functions at all levels of government;*

*(c) To participate in non-governmental organizations and associations concerned with the public and political life of the country.*

Reference is made to **General Recommendation No. 23**.

As stated in discussions under Article 1, The Government of St. Vincent and the Grenadines sought to implement significant changes to Constitution during the period under Review through the process of Constitutional Reform from 2003-2008 but was unsuccessful. This Bill contained the following important provision with respect to Equality for the present Article women and men:

“Section. 21 (3) Political parties are obliged to aspire to having not less than thirty percent of the combined total number of persons whose names are included on the Party List submitted by a Party in accordance with Section 98 of this Constitution as women; and not less than thirty percent of that combined total as men.” (St. Vincent and the Grenadines, Constitution Bill 2009).

**Women’s involvement in political life:**Women as Voters:

According to Sec. 23 of the Constitution, the Parliament of St. Vincent and the Grenadines is comprised of the Governor General representing Her Majesty the Queen, and a House of Assembly. The House of Assembly includes fifteen Constituency Representatives, elected at General Elections, and Six Senators. Women are fully entitled to participate in the political life as voters and as candidates.

In relation to women’s participation in General Elections, Section 27 (2)(a) of the Constitution states:

“Every Commonwealth citizen of the age of eighteen years or upwards who possesses such qualifications relating to residence or domicile in Saint Vincent and the Grenadines as Parliament may prescribe shall, unless he is disqualified by Parliament from registration as a voter for the purpose of electing Representatives, be entitled to be registered as such a voter in accordance with the provisions of any law in that behalf, and no other person may be so registered”.

Polling is conducted by secret ballot, with every citizen or Commonwealth citizen resident for a minimum of twelve months in Saint Vincent and the Grenadines entitled to vote. Each voter identifies him/herself to the Presiding Officer and must produce a National Identity Card before voting. The voting takes place by simply marking a cross on the ballot next to the symbol of the person to be voted for. This

ensures that even non-literate persons can understand and participate. A record of the gender of all voters is kept.

Similarly, Section 38 of the Constitution provides for the amendment of the Constitution by a referendum. The qualifications for participation in this referendum is “any person who would be entitled to vote for the purpose of electing Representatives”. Women are therefore entitled to participate equally.

#### Women as Candidates:

In relation to women’s being eligible to be elected as candidates, Section 25 of the Constitution provides for any Commonwealth Citizen over the age of twenty-one who has resided in Saint Vincent and the Grenadines for a period of twelve months immediately before the date of his nomination for election, who is not physically incapacitated to be elected.

Women actively participated in the 2001, 2005 and 2010 General Elections as candidates, a factor which was favourably commented upon by the Commonwealth Secretariat Electoral Observer Mission which monitored the elections.<sup>5</sup> Of the forty-one (41) candidates who contested the Elections, six (6) were women. Both of the two women elected into Parliament subsequent to the 2001 elections presently held substantial Ministerial portfolios. In addition, the Attorney General who is the head of the Ministry of Legal Affairs is a woman. In Parliament in 2001, a woman was appointed to be one of the four Senators of Government. The position of **Clerk of the House of Assembly** is also held by a woman. Since 2001 the number of women holding political office has declined. On the Government side in 2010 there was only one female Parliamentary Representative and no female Senator. On the Opposition side there were two female Senators.

Measures to ensure the highest functioning of women in public life include the participation of female parliamentarians in training activities conducted locally, regionally and at the international level.

#### **Women in Public Office:**

Women are well represented in government as Permanent Secretaries, members of Statutory Boards and Heads of Departments. Under Section 79 of the Constitution, these persons cannot be removed without the intervention of the Governor General. Other significant positions in Government held by women include that of the Accountant General, who heads the Treasury Department and the Director of Planning within the Ministry of Finance.

Within the Judiciary, women are well represented. There are two High Court Judges, one of which is female. This therefore represents good proportion. The Registrar of the Supreme Court is a female. At the lower level, within the Magistracy, which is the court of lowest jurisdiction two women hold the important positions of Chief Magistrate and President of the Family Court respectively. This represents a total of two out of four or half of the Magistracy. Of the four Magistrates, two are female.

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<sup>5</sup> Report of the General Elections Held on 28th March, 2001. Electoral Office, 2001.

**Women in Non-Governmental Associations and Political Parties.**

Women play major leadership roles within Non-Governmental Associations, Community Based organizations, Social Service clubs and church organizations,. There are many non-governmental organizations in St. Vincent and the Grenadines and they focus on various issues including income generation, cultural activities, youth development, provision of social services and poverty reduction. The most notable factor of women's involvement however is their major role in church organizations.

Women are also active in Trade Unions both as members and as participants in the leadership. For example, the General Secretary of the St. Vincent and the Grenadines Teachers Union, one of the main Trade Unions with a large female membership, is a woman. As part of the trade union movement, women receive ongoing training in many aspects of organizational development, collective bargaining and other issues including social and health issues relevant to their role as workers. The Teachers Union for instance, organizes an annual summer training workshop for all its trade union leaders and organizers, many of whom are women. The nurses association also represent a formidable body comprised a majority of women. These bodies have been very organized and vocal, not just in representing the interests of their membership, but in speaking out on broader national issues.

Three political parties contested the 2001, 2005 and 2010 General Elections. Prior to that, women were active in campaigning, mobilizing, and other political work as members and supporters of the political parties. All the Parties continue to have special sections for their female membership. These members are involved in training exercises locally and at the regional level.

**Article 8: international representation and the participation of women in international affairs of Saint Vincent and the Grenadines**

*States Parties shall take all appropriate measures to ensure to women, on equal terms with men and without any discrimination, the opportunity to represent their Governments at the international level and to participate in the work of international organizations.*

Women in Saint Vincent and the Grenadines continue to have equal access to diplomatic and international posts with men once they possess the required qualifications however data on the gender composition of the Foreign Service Officers reveals the extent of male dominance at this level. The post of Ambassador of Saint Vincent and the Grenadines to the OAS is held by a woman. The other Vincentian Foreign diplomatic missions are headed by men.

**Article 9: nationality and citizenship of women and their children**

*States Parties shall grant women equal rights with men to acquire, change or retain their Nationality. They shall ensure in particular that neither marriage to an alien nor change of nationality by the husband during marriage shall automatically change nationality of the wife, render her stateless or force upon her the nationality of the husband.*

**States Parties shall grant women equal rights with men with respect to the nationality of their children.**

The situation with respect to the Initial Report has not changed.

With respect to the Application for Passports, it must be noted that there is a requirement that women of unions outside of marriage are required to have the fathers signature on passport applications for the children of both parties where such fathers name appears on the birth certificate. Sometimes these fathers are not supporting the children or have not been part of the women's life for years. Fathers applying for passports in similar circumstances are not required to have the children's mother sign the application.

#### **Article 10: ensuring women equal rights to education**

*States Parties shall take all appropriate measures to eliminate discrimination against women in order to ensure to them equal rights with men in the field of education and in particular to ensure, on a basis of equality of men and women:*

- *The same conditions for career and vocational guidance, for access to studies and for the achievement of diplomas in educational establishments of all categories in rural as well as in urban areas; this equality shall be ensured in pre-school, general, technical, professional and higher technical education as well as in all types of vocational training;*
- *Access to the same curricula, the same examinations, teaching staff with qualifications of the same standards and school premises and equipment of the same quality;*
- *The elimination of any stereotyped concept of the roles of men and women at all levels and in all forms of education by encouraging coeducation and other types of education which will help to achieve this aim and in, particular, by the revision of textbooks and school programmes and the adaptation of teaching methods;*
- *The same opportunities to benefit from scholarships and other study grants;*
- *The same opportunities for access to programmes of continuing education, including adult and functional literacy programmes, particularly those aimed at reducing, at the earliest possible time, any gap in education existing between men and women;*
- *The reduction of female student drop-out rates and the organization of programmes for girls and women who have left school prematurely;*
- *The same opportunities to participate actively in sports and physical education;*
- *Access to specific educational information to help to ensure the health and well-being of families, including information and advice on family planning.*

#### General Issues

The Government during the period under review has pursued since 2001 a strong, consistent and aggressive programme of Education Reform through its Education Revolution. This is linked to its stated policy of making Education and the empowerment of the family one of vital tools in the struggle against poverty which was assessed by the 1996 Country Poverty Assessment Report to be at 37.5% of the Population. This has resulted in major investments in Educational facilities, Teacher training, management systems and Educational access tools (Scholarships, Grants, Book Loan Scheme etc.) at all levels of the Education System.

Improved Quality and Access in the delivery of Education continued to command high priority in the Government during the review period. Approximately 23% of the National Budget has been consistently allocated to the Education Sector over the years and this trend is set to continue. Education has been viewed as one of the major prongs of development and a route for the vast majority of the population towards improvement of their living conditions generally and towards addressing poverty specifically. The Government by the end of 2007 had invested approximately \$56 million dollars in loans and grants through multilateral and bilateral arrangements with the Caribbean Development Bank, the World Bank and the European Union for the financing of the Education Sector Development Plan.

A major achievement during the period under review has been the passage in 2006 of the **Education Act, Cap 202** of the Revised Laws of St. Vincent and the Grenadines. The Act makes provision for the reconstituting of the Education Advisory Board, and for the delivery of improved educational services by the public and private sector. It provides for compulsory school age which is from five to sixteen years of age.

As part of a process of Constitutional Reform during the Review period the Government sought to include specific provisions for equality of access for women to certain Educational rights but was unsuccessful as the Constitutional Reform Bill 2009 was not passed in a Referendum held for that purpose. The Content of that relevant section in that Bill was as follows:

“Art. 21 (1) Women and Men have equal rights and the same legal status in all spheres of political, economic, cultural and social life. All forms of discrimination against women and men on the basis of their sex are prohibited.

(2) The rights of women are ensured by according to women equal access with men to academic, vocational and professional training, equal opportunities in employment, remuneration and promotion; and in social, political and cultural activity. Moral support is to be encouraged for mothers and children including paid leave and other benefits for mothers and expectant mothers.

During the review period, the **Education Sector Development Plan, 2002-2007** (ESDP) guided the development of the Education Sector based on the concepts of universal access and equity of provision.

The Plan summarized the concerns over the outputs of the Education system in terms of its role in addressing structural and institutional weaknesses which marginalize children from disadvantaged groups. The ESDP in 2001 summarizes existing situation of zero and low levels of education, by stating the following:

“1) At the pre-primary level, approximately three-quarters of preschool children, particularly those in the rural areas and from disadvantaged families are denied access to early childhood educational programmes;

2) At the primary level (Grades 1-6) about three-fifths of the enrolled student population do not satisfy the minimum assessment requirements to enable them to proceed to the first stage of basic secondary students;

3) At the Secondary school level approximately 80-85% complete the full five year secondary school programme;

Both primary and secondary levels of schooling were characterized by absenteeism, repetition and drop-out rates<sup>1</sup>.”

Following the implementation of the ESDP during the Review period significant improvements were made in Education in St. Vincent and the Grenadines.

At the **pre-primary** or early childhood level, there was an increased enrolment. Whilst girls had access equally with boys, the preponderance of private sector ownership and management of these institutions resulted in limited number of intake of children prior to 2001. Most of these centres are located in urban areas and about 75% of rural children had limited access to any form of early childhood education. The Ministry of Education also set standards, prepared a curriculum, set registration regulations and monitored these schools. Government in fulfilment of the ESDP increased access to 100% by 2007 and carried out other related activities towards this goal including the improvement in quality of provision.

In 2001 the population of children attending early childhood schools was 33.4% of all the children under the age of five years. As part of the Educational Reform program the Government commenced increasing access of children to Early Childhood Education by providing more Government run institutions. Investment was made into the construction of a modern Early Childhood Education Centre run by the Young Women Christian Association (YWCA) a non-governmental Association with international affiliation. In addition early childhood education facilities were constructed at all new primary schools. Between 2009-2010 the Government established nine (9) quality Early Childhood Education Centres. It is intended that Universal Access to Early Childhood Education be achieved by 2011.

The Ministries of Education, Health and National Mobilisation have commenced a joint partnership to deliver a Parenting training Programme to promote learning and cognitive development in children 0-3 years old. The Ministry of Education is in the process of preparing a codified standards and guidelines governing Early Childhood Education for presentation to Cabinet.

In the area of **Primary Education** the data during the review period shows the following :

At the primary level, prior to the institution of the Government of St. Vincent and the Grenadines' Educational Reform Program, the Ministry identified as an issue of concern the low levels of attendance and achievement among certain vulnerable

groups included among which were “children of single parents, child guardians (often females) and rural students”.<sup>6</sup> Whilst girls continue to dominate, the overall low standards of achievement, particularly at the National Common Entrance Examination (CEE), has meant that even girls are negatively impacted by the existing situation and therefore cannot perform to their optimum level. The Common Entrance Examination was removed in 2006 as the main avenue for entrance into the Secondary School System.

Measures which have been implemented to improve the situation, have been the provision of school transportation services for rural children, the provision of subsidized or free school meals to improve the nutritional intake of all children who are perceived to be from underprivileged homes and the institution of a school uniform programme for poorer children.

The Government has instituted measures to strengthen and improve the physical infrastructure of schools and by instituting a programme to repair existing schools and build new ones which would provide a more even geographic distribution of primary schools. In 2001 all 61 state owned primary schools were repaired and renovated in the eight week period prior to the new school term. More primary school teachers are also being trained to meet the needs for more teachers in the upgraded school system. Women are also predominant at the teaching profession and are among the larger numbers of certified teachers. Further, the Government has committed itself in the ESDP to reducing and eventually eliminating inequity of provision whether on the basis of gender, location, special needs or poverty. Since 2001 four new primary schools have been constructed.

As part of the Government of St. Vincent and the Grenadines Educational Reform Programme the Improved Quality in teaching has resulted in the provision of Tertiary Level training to Teachers in primary schools through a Bachelors Degree in Education Administration from 2005. So far more than 100 teachers/principals have benefited from the program. In 2001 there were four (4) University Graduates teaching at Primary Schools. By 2010 there were four hundred (400).

**At the Secondary School level**, girls have equal access and dominated in terms of participation and enrolment.

There is no gender discrimination in the accessing of Secondary School Education. Between the periods 1995 -2005, only students who passed the Common Entrance Examination (CEE) were eligible to attend secondary school. This resulted in the exclusion of approximately half of the children from pursuing a secondary school education. who

During the period under review the main issue affecting all students, including girls was the limitation in terms of access based on the limited number of secondary school places. In 2001 approximately 40% of the age group of children who ought to have been available for Secondary education were attending. As part of the Government’s response to this problem, the Universal Access to secondary school education was achieved by 2005. Between 2002-2007 this resulted from the expansion of available secondary school places through the construction of six new secondary schools and the upgrading and renovation of others. For example over

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<sup>6</sup> Education Sector Development Plan, 2002 – 2007. Ministry of Education Youth and Sports.

16% of the Capital Budget and 18% of the Recurrent Budget in 2006 was spent on Education.

In response to the high cost of text books at the secondary school level the Government instituted a Book Loan Scheme which amounted to approximately EC \$5.915 million between 1999- 2004. This is a significant Poverty Reduction measure which has benefited children of poor families, although all children country wide have access to the Programme. Many of these children who come from single parent, female headed households would otherwise not have been able to afford the cost of textbooks for attending Secondary schools.

At the **Tertiary Level** enrolment in the St. Vincent and the Grenadines Community College, through its four Divisions (Teacher training, Technical and Vocational Training, Nursing Education, and Arts and Sciences) is characterized by growth, with participation by women predominating. The Housing and Population Census 2001 data revealed that the enrolment of females in these institutions increased by 100% between 1991 – 2001 whereas male participation increased by 62%.

Through the expanded access provided by the Government during the period under review Vincentian students are able to avail themselves of training opportunities at home and at schools and universities abroad. As part of its poverty reduction initiatives the Government in 2001 established a 100% loans programme for economically Disadvantaged students to pursue university education. Between 2002 – 2010 over 600 such loans were approved at a cost of EC\$ 38 Million. Women have been making excellent use of these opportunities. No discrimination exists in relation to benefits from scholarships, grants and access to programmes of continuing education.

In relation to career guidance, annual career days are held at many secondary schools and a Career fair takes place annually at which colleges and universities from overseas expose students to opportunities available for continued tertiary level education overseas.

In relation to **Adult and Continuing Education**, women are provided with opportunities on the same basis as men to access programmes to improve their functional literacy. Women take full advantage of such programmes focus on literacy, numeracy, life skills and technical and vocational training which are developed by the Adult Education Unit within the Ministry of Education. These programmes are conducted at urban and rural centres in the country. During the period under review the Government constructed several Adult and Continuing Education Programmes with support from the European Union.

Both males and females participate equally in sports events and women continued to excel at various sports disciplines including netball, cricket and track and field. The Ministry of Education Youth and Sports has developed an excellent programme of sports which is implemented at the primary and secondary school levels. Notwithstanding, women continue to dominate at a traditional female sport such as netball and men dominate at cricket and basketball.

The Ministry of Education, Youth and Sports has been working in tandem with the Ministry of Health and the Environment to provide Family Life Education training to schoolchildren and girls have benefited tremendously from this. This was carried out with the support of the various Parent Teachers Associations and the St. Vincent and the Grenadines Family Planning Association. Due to the increasing public

awareness campaigns related to the HIV AIDS there is a great deal of information provided on Family Life issues.

The Government of St. Vincent and the Grenadines through the collaboration of the Ministry of Education and the Gender Affairs Division in the Ministry of National Mobilisation has launched a programme to have pregnant teenage girls return to secondary school to complete their education after they have had the baby. The girls are provided with financial support to assist in the purchase of textbooks, school uniforms and child care for the baby.

#### **Article 11: ensuring women equal rights in employment**

**Consideration is given to General Recommendation No. 12, 13 in the preparation of the Response of Saint Vincent and the Grenadines to this Article.**

*States Parties shall take all appropriate measures to eliminate discrimination against women in the field of employment in order to ensure, on a basis of equality of men and women, the same rights, in particular:*

- *The right to work as an inalienable right of all human beings;*
- *The right to the same employment opportunities, including the application of the same criteria for selection in matters of employment;*
- *The right to free choice of profession and employment, the right to promote, job security, and all benefits and conditions of service and the right to receive vocational training and retraining, including apprenticeships, advanced vocational training and recurrent training;*
- *The right to equal remuneration, including benefits, and to equal treatment in respect of work of equal value, as well as equality of treatment in the evaluation of the quality of work.*
- *The right to social security, particularly in cases of retirement, unemployment, sickness, invalidity and old age and other incapacity to work, as well as the right to paid leave;*
- *The right to protection of health and to safety in working conditions, including the safeguarding of the function of reproduction.*

*In order to prevent discrimination against women on the grounds of marriage or maternity and to ensure their effective right to work, States Parties shall take appropriate measures:*

- *To prohibit, subject to the imposition of sanctions, dismissal on the grounds of pregnancy or of maternity leave and discrimination in dismissals on the basis of marital status;*
- *To introduce maternity leave with pay or with comparable social benefits without loss of former employment, seniority or social allowances;*
- *To encourage the provision of the necessary supporting social services to enable parents to combine family obligations with work responsibilities and participation in public life, in particular through promoting the establishment and development of a network of child-care facilities;*

- *To provide special protection to women during pregnancy in types of work proved to be harmful to them.*

*Protective Legislation relating to matters covered in this article shall be reviewed periodically in the light of scientific and technological knowledge and shall be revised, repealed or extended as necessary.*

#### Background

The data shows that overall more men were unemployed than women, however, among the unemployed women, those with only primary school education constituted a larger proportion.

#### **Percentage Distribution of Unemployed Population by Educational Attainment, 2001 and 1991**

| <i>Educational Level</i>    | <i>2001</i> |               |              | <i>1991</i> |               |              |
|-----------------------------|-------------|---------------|--------------|-------------|---------------|--------------|
|                             | <i>Male</i> | <i>Female</i> | <i>Total</i> | <i>Male</i> | <i>Female</i> | <i>Total</i> |
| Primary School              | 73.9        | 52.3          | 66.8         | 81          | 65.6          | 74.8         |
| Secondary School            | 21.4        | 40.8          | 27.7         | 17.6        | 33.2          | 23.9         |
| Pre-University & University | 2.3         | 4.9           | 3.2          | 0.8         | 0.9           | 0.8          |
| Other                       | 0.3         | 0.4           | 0.3          | 0.4         | 0.2           | 0.3          |
| None                        | 0.9         | 0.4           | 0.7          | 0.1         | 0.2           | 0.1          |
| Not Stated                  | 1.3         | 1.2           | 1.3          | 0.1         | 0             | 0.1          |
| <b>Total</b>                | <b>100</b>  | <b>100</b>    | <b>100</b>   | <b>100</b>  | <b>100</b>    | <b>100</b>   |

#### **Percentage Distribution of Employed Population by Gender 2001 and 1991**

| <i>Main Occupational Group</i>             | <i>2001</i> |               |              | <i>1991</i> |               |              |
|--|-------------|---------------|--------------|-------------|---------------|--------------|
|  | <i>Male</i> | <i>Female</i> | <i>Total</i> | <i>Male</i> | <i>Female</i> | <i>Total</i> |
| Legislator, Senior Officials & Managers    | 5.1         | 8             | 6.2          | 4.9         | 6.4           | 5.4          |
| Professionals                              | 7.4         | 14.1          | 10           | 3.1         | 3             | 3.1          |
| Technicians and Associated Professionals   | 4.2         | 6.4           | 5            | 5.9         | 15.4          | 9.2          |
| Clerks                                     | 3.3         | 19.1          | 9.4          | 3.2         | 15.7          | 7.6          |
| Service Workers and shop and Market Sales  | 11.9        | 18.8          | 14.5         | 8.3         | 16.1          | 11           |
| Skilled Agricultural and Fisheries workers | 15.3        | 4.9           | 11.3         | 17.6        | 6.2           | 13.7         |
| Craft and Related Trade Workers            | 20.1        | 3.1           | 13.6         | 21.5        | 6             | 16.1         |
| Plant and Machinery Operators              | 10.3        | 1.1           | 6.7          | 8.7         | 1.3           | 6.1          |
| Elementary Occupations                     | 19.4        | 22.3          | 20.5         | 26.6        | 29.7          | 27.7         |
| Not Stated                                 | 3.1         | 2.2           | 2.7          | 0.1         | 0.1           | 0.1          |
| <b>Total</b>                               | <b>100</b>  | <b>100</b>    | <b>100</b>   | <b>100</b>  | <b>100</b>    | <b>100</b>   |

*Source: Population and Housing Census, 2001.*

Men continue to be more economically active than women. However the labour force participation rate of women increased marginally from 44.3% in 1991 to in

44.5% in 2001. The data showed that the number of women who gained employment increased by 13.8%, however of concern is the fact that the female working population are mainly distributed in three low income groups — elementary occupations (22.3%), clerks (19.1%) and service workers and shop and market sales (18.8%)- which accounted for over approximately 60% of the female employed population. The female employment rate, calculated as a percentage of the economically active population, increased 81.4% in 2001 from 77.9% in 1991.

According to the Population and Housing Census Report 2001 “Elementary Occupations contributed the largest number employed as a single occupational group. This group is comprised of sales and services, agriculture, fishery, related labourers in construction, manufacturing and transport. These occupations mainly require unskilled workers and are low paid jobs”.<sup>7</sup> In addition to the categories of Service Workers and shop and Market sales, Craft and related Trade Workers and Skilled Agricultural and Fishery Workers, the four categories amounted to approximately 60% of all employed workers.

### **Legislative and regulatory framework**

Three major International Conventions have been ratified during the period under review. In 2001 Saint Vincent and the Grenadines ratified the **International Labour Organization (ILO) Discrimination (Employment and Occupation) Convention 1958 (No. 111)** which prohibits discrimination on the basis of Sex in the field of Employment and Occupation.

In that same year (2001) The **ILO Equal Remuneration Convention, 1951 (No. 100)** which prescribes States Parties to ensure equal remuneration for men and women workers for work of equal value was ratified by SVG ;

In 2010 the **ILO Employment Policy Convention (1964) No. 122** which ensures “freedom of choice of employment and the fullest possible opportunity for each worker to qualify for, and to use his skills and endowments in, a job for which he is well suited, irrespective of race, colour, sex, religion, political opinion, national extraction, or social origin..” (Art. 1) was ratified.

As part of a process of Constitutional Reform during the Review period the Government sought to include specific provisions for equality of access for women to certain Educational rights but was unsuccessful as the Constitutional Reform Bill 2009 was not passed in a Referendum held for that purpose. The Content of that relevant section in that Bill was as follows:

“Art. 21 (1) Women and Men have equal rights and the same legal status in all spheres of political, economic, cultural and social life. All forms of discrimination against women and men on the basis of their sex are prohibited.

(2) The rights of women are ensured by according to women equal access with men to academic, vocational and professional training, equal opportunities in employment, remuneration and promotion; and in social, political and cultural activity. Moral support is to be encouraged for mothers and children including paid leave and other benefits for mothers and expectant mothers.”

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<sup>7</sup> Population and Housing Census Report 2001, Government of Saint Vincent and the Grenadines, pg. 42.

Domestic Legislation impacting on the State Parties obligation under the CEDAW passed during the Reporting period (1995-2010) which now form part of the Revised Laws of Saint Vincent and the Grenadines 2009 and which will be discussed in this Article 11 included the **Equal Pay Act, (1994) Cap 210; the Protection of Employment Act, (2004) Cap 212 ; Wages Regulations (Agricultural Workers) Order 2008; Wages Regulations (Domestic Workers) Order 2008; Wages Regulations (Security Workers ) Order 2008; Wages Regulations (Hotel Workers) Order 2008; Wages Regulations (Industrial Workers) Order 2008; Wages Regulations (Workers in Offices of Professionals) Order 2008; Wages Regulations (Shop Assistants) Order 2008; Wages Council Act, Cap 217; Shops (Hours of Opening and Employment) Act, Cap 214; and the Employment of Women, Young Persons and Children Act, Cap 209.**

### **Implementation of the CEDAW Convention**

In responding to this Article, reference is made to General Recommendations Nos. 12, 16, 17, and 19. There is no right to work under the Constitution of Saint Vincent and the Grenadines. Women are in general not subject to discrimination in the application along with men for various employment opportunities. During the period under review, women benefited from the continued observance by Government of its obligations under local legislation and international conventions. The Government assigned special responsibility of labour relations to one of the Parliamentary Secretaries within the Office of the Prime Minister, thus according a high priority to labour issues. The specific elements of Article 11 will now be discussed:

- *The right to equal remuneration, including benefits, and to equal treatment in respect of work of equal value, as well as equality of treatment in the evaluation of the quality of work.*

The implementation in 1994 of the provisions of the **Equal Pay Act, Cap 210 of the Revised Laws of Saint Vincent and the Grenadines 2009** ensured that women were no longer discriminated against in terms of wages received for comparable work. The Act prohibits discrimination between male and female employees involving failure to make equal pay for equal work. It sets forth penalties for violation of the Act, allows courts to order payment of arrears, and provides for inspectors to investigate complaints in relation to the Act. It also provides for a Mediation procedure for such complaints.

This Act also states that favourable treatment received by an employee in connection with the birth or expected birth of a child is not to be considered as discrimination between females and males. Women are able to seek redress within the court system for wrongs which occurred at the workplace. Under Sec. 3 (2) of the Act, the Employer who is in contravention of the terms of the Act may be convicted in Court of an Offence and liable to a fine of up to \$2,000 and would also be liable to pay the employee in relation to whom the Offence was committed any sums which the Court considers to be due to that employee who has not received equal pay.

The Equal Pay Act, CAP 210 was further buttressed by the ratification by Saint Vincent and the Grenadines in 2001 of the **ILO Equal Remuneration Convention, 1951 (No. 100)** which prescribes States Parties to ensure equal remuneration for men and women workers for work of equal value.

- ***To introduce maternity leave with pay or with comparable social benefits without loss of former employment, seniority or social allowances;***

St. Vincent and the Grenadines has complied fully with its obligations under the terms of this Article. In relation to the specific framework for establishing the Minimum Wage, the **Wages Council Act, CAP 217** of the Revised Laws of Saint Vincent and the Grenadines 2009 provides for the establishment of Wages Councils to effectively propose Wage regulation Orders in order to regulate remuneration and holidays of any particular class of worker. Wages Councils can be appointed by the Governor General under the Act, and includes employers, workers and three independent persons.

Under the powers of this Act relevant Wages Councils have been established in Saint Vincent and the Grenadines and these have proposed such Minimum Wage, hours of work, overtime, vacation leave, and maternity leave which were made during the period under review for the following categories of workers: Security Workers, Domestic Workers, Shop Assistants, Agricultural Workers, Industrial Workers, Workers in Offices of Professionals and Hotel Workers (Ref-. Wages Regulations (Agricultural Workers) Order 2008; Wages Regulations (Domestic Workers) Order 2008; Wages Regulations (Security Workers) Order 2008; Wages Regulations (Hotel Workers) Order 2008; Wages Regulations (Industrial Workers) Order 2008; Wages Regulations (Workers in Offices of Professionals) Order 2008; Wages Regulations (Shop Assistants ) Order 2008).

All of the above Wages Council Orders provide for Vacation Leave and sick leave for workers. They also make provision for Maternity Leave for the aggregate period of four weeks confinement during which time the employer is obliged to pay a minimum of thirty-five (35%) to the worker. However, for the worker to be entitled to Maternity Leave, the worker must have had two years continuous service with the employer and for the purpose of calculating continuous service, a minimum of one hundred and fifty days is deemed to qualify the worker for one years service.

The National Insurance Services (NIS) is a statutory corporation and operates by virtue of the National Insurance Services Act, CAP 296 of the Revised Laws of Saint Vincent and the Grenadines 2009, as the Government Agency responsible for providing Social Security Benefits, including Maternity Benefits for Vincentians. Employers and employees are mandated to pay NIS contributions of 8% of insurable earnings to the NIS. Of this total rate the employee is obliged to pay 3.5% and the employer 4.5%. Women between the ages of 16 and 60 who have been employed for at least 30 contribution weeks and who have paid at least 20 contributions before the date of the claim are entitled to a Maternity Allowance of 65% of her average weekly wages for a period of thirteen (13) weeks. A woman may elect to apply for a Maternity Grant of a single lump sum payment of \$630 which can be claimed within four weeks of the birth of the baby. To be eligible for a Maternity Grant a woman or her spouse must have paid at least 20 weekly contributions in the thirty (30) weeks before the birth of the child. Some employees, such as teachers, where the majority of employees are women, benefit from six weeks Maternity leave with pay. This is granted through Collective Agreements negotiated through their Trade Union.

- ***The right to social security, particularly in cases of retirement, unemployment, sickness, invalidity and old age and other incapacity to work, as well as the right to paid leave;***

The National Insurance Services (NIS) is mandated to provide Social Security Benefits. As part of its programme it provides Sickness Benefits to Insured women 16-60 yrs who cannot work because of illness and who have made twenty-six contributions into social security and who have been employed immediately before the illness. The insured woman will be paid 65% of her average weekly wages for 26 weeks.

Women who are Insured and who have paid the requisite number of contributions are also entitled to access Employment Injury Benefits from the NIS up to a maximum period of 52 weeks as long as the disability exists. Medical Expenses incurred in the treatment of an employment injury can also be refunded once supporting receipts are submitted. If at the end of the period when the Injury Benefit is payable the woman is suffering from 30% or more of physical or mental faculty then she is entitled to a Pension for life or until the disability ceases. If the incapacity is less than 30% then she is entitled to a Lump sum payment. For women whose disability requires that they have constant attendance, there is an additional "Constant Attendance Allowance" payable.

In responding to the obligations of the CEDAW under this Article with respect to Social Security measures, the issue of care and financial provision for the elderly has a special significance for women in St. Vincent and the Grenadines. According to the latest official National Census 2001, within an elderly population of 65 years and older, representing 7.3% of the population more than half (8.3%) were women. The Government of St. Vincent and the Grenadines has been making appropriate interventions through the increased provisioning of services and benefits for the elderly, from which the majority of elderly women now benefit.

Old Age Grant in a lump sum of six (6) times the average weekly wage is payable by the NIS to women who have reached the Age of 60 who have paid more than fifty weekly contributions. Women who have reached the age of 60 and who have paid more than 500 weekly contributions are entitled to a Pension of 30- 60% of the average weekly wages or a minimum of \$70.00 a week.

During the present Reporting period (1997) the Government of Saint Vincent and the Grenadines introduced a Non-contributory Assistance Age Pension (NAAP) through the NIS For persons who could not have contributed to the NIS because of their Age, but who were members of the National Provident Fund the precursor to the NIS. This scheme was later extended to cover Farmers and other indigent persons who had suffered from the fallout in the Banana Industry. This benefit is not a Right, however it is given to persons selected through a Means Test, many of whom are women. By 2004 It covered over 1,700 persons who were paid \$100 a month. The NIS in 2009 also introduced the Elderly Assistance Benefit (EAB) to cushion those who were affected by the Global Financial Crisis.

Another measure which has been utilized by the Government of St. Vincent and the Grenadines throughout this Reporting Period to provide coverage of non-contributory payments to elderly persons, including women, is through the Social Welfare system, implemented through the Family Services Division in the Ministry of National Mobilization. This monthly payment called "Public Assistance" is not mandatory, however the elderly poor over 65 years are entitled to receive it once the resources are available. The scheme had been in place prior to the present reporting period, however the Government has consistently sought to increase the payments as well as to broaden the number of beneficiaries under the

programme. The figure was increased from EC\$150 to EC \$220 a month in 2010. Women who are unemployed and who are in dire financial circumstances are also entitled to apply to the Family Services Division to receive assistance under the programme.

Additional measures put in place through a mix of State intervention and Private Sector action during the reporting period has resulted in an increased number of Private Residential homes for elderly persons as well as the establishment of two (2) Golden Years Activity day-care facilities for the elderly constructed by the NIS and managed by local Boards. The majority population in the residential facilities are women over the age of 80 years. During the period under Review, Five (5) Private Residential Homes for the elderly were established for the first time.

#### PAID LEAVE:

Security Workers, Domestic Workers, Shop Assistants, Agricultural Workers, Industrial Workers, Workers in Offices of Professionals and Hotel Workers are all entitled to Paid Leave under the terms of the Regulations made under the Wages Council Act reviewed in this Article. During the period under review, the Government has enabled workers benefit from improved Paid Leave provisions. In 2003 and 2005 the Wages Council made Orders providing Paid Leave both as Sick Leave and Vacation Leave to all the above categories of workers. Women benefited significantly from these improvements particularly in the categories of Domestic Workers, Shop Assistants, Workers in Offices of Professionals and Hotel Workers, the majority of whom are female. The average vacation leave provided by the Regulations is fourteen days leave for persons who have one to five years of service.

*In order to prevent discrimination against women on the grounds of marriage or maternity and to ensure their effective right to work, States Parties shall take appropriate measures:*

- *To prohibit, subject to the imposition of sanctions, dismissal on the grounds of pregnancy or of maternity leave and discrimination in dismissals on the basis of marital status;*

The **Protection of Employment Act, (2003) Cap 212** which came into effect in 2004 provides a significant support for the improved terms and conditions of employment for women and contributes to the State Party fulfilling its obligations under Article 11 of the CEDAW. This is an important piece of domestic legislation in that its stated objective is to support successful employment relationships. Its contents speak to the broad issues of Promotion of employment rights, referring to the protection against dismissal without good cause. Women claiming Unfair Dismissal are entitled under the Act to pursue legal remedies available which include Hearings before a Tribunal.

The Act specifically prohibits the employer from terminating the services of an employee on various grounds including sex, marital status, pregnancy (Sec. 16 (d)) reasonable absence from work due to family emergencies or responsibilities (Sec. 16 (e)) or absence of work during maternity leave as certified by a medical practitioner (Sec. 16 (f)). These clauses provide important legal protections relevant to women in Saint Vincent and the Grenadines particularly in relation to the right to Maternity Leave and freedom from termination by employers due to pregnancy.

Government continues to provide other forms of Social Security Benefits under the National Insurance Scheme. This provides benefits in cases of sickness, invalidity, retirement and death. Persons who are self-employed may now contribute towards the provision of benefits for themselves. Other benefits are negotiated within the context of collective agreements with trade Unions. These include the provisions of uniforms for work, the regulation of health and safety conditions at the workplace and the right to paid leave.

Government has continued to encourage the formation of trade unions and these have flourished in the State with an active and growing number of women members. The private sector has not always been supportive of its members becoming unionized however, there is legislation in place to ensure that where workers are able to become unionized under recognized unions, this process is initiated and monitored by the Department of Labour.

### **Measurement and Quantification of Unremunerated Domestic Activities**

With respect to the measurement and quantification of the unremunerated domestic activities of women (**General Recommendation No. 17**), no work has yet been undertaken by the Statistical Office in this regard. Obstacles to the conduct of such research include the limited financial and human resources available for the conduct of such an exercise.

#### Sexual Harassment at the Workplace

With respect to the issue of sexual harassment at the workplace (**General Recommendation No. 19**), there has been no specific action taken or proposed in this regard. Some anecdotal evidence exists that some women who seek employment are requested to provide sexual favours in exchange for being granted jobs. There is still the need to conduct research in order to discover the extent and nature of the problem. Available remedies for women who are subject to Sexual Harassment are limited to Common Law Remedies under the Law of Torts. The Tort of Harassment is now recognized at Common Law and is defined in a recent Jamaican case as: “deliberate conduct directed at the Claimant resulting in damage, the damage being anxiety and distress, short of physical harm or a recognized psychiatric illness.”<sup>8</sup>

### **Freedom of Choice of Employment**

In 2001 Saint Vincent and the Grenadines ratified the **International Labour Organization (ILO) Discrimination (Employment and Occupation) Convention 1958 (No. 111)** which prohibits discrimination on the basis of Sex in the field of Employment and Occupation. In 2010 the **ILO Employment Policy Convention (1964) No. 122** which ensures “freedom of choice of employment and the fullest possible opportunity for each worker to qualify for, and to use his skills and endowments in, a job for which he is well suited, irrespective of race, colour, sex, religion, political opinion, national extraction, or social origin...” was also ratified.

With respect to Saint Vincent and the Grenadine’s obligations under these two Conventions, a clarification may be required in relation to the **Employment of Women, Young Persons and Children Act, Cap 209** of the Revised Laws of Saint Vincent and the Grenadines 2009 which includes provisions from a 1938

<sup>8</sup> Needham and Clarke v Senior: HCV 0852/2006.

Convention which prohibit any woman over the age of eighteen from being employed at night in any industrial undertaking except to the extent to which such employment is permitted by the Act (Sec. 3 (2)).

“Industrial Undertaking” includes “mines, quarries, industries in which articles are manufactured, altered, cleaned, repaired, ornamented, finished, adapted for sale, broken up or demolished, or in which materials are transformed, including ship-building and the generation, transformation and transmission of electricity or motive power of any kind;” it also includes “construction, reconstruction, maintenance, repair, alteration or demolition of any building, railway, tramway, harbour, dock, pier, canal, inland waterway, road, tunnel, bridge, viaduct, sewer, drain, well, telegraphic or telephonic installation, electrical undertaking, gaswork, waterwork, or other work of construction, as well as the preparation for or laying the foundations for any such work or structure.” This broad scope of activities indicate the sweep of activities prohibited by women at night. The Act prohibits women “without distinction of Age from being employed during the night in any public or private industrial undertaking or in any branch thereof other than an undertaking in which only members of the same family are employed.”

It is instructive to note that the Family Court, established under the Family Court Act, CAP 25 has sole jurisdiction to hear Offences which are committed under this Act. (Family Court Act, Sec. 4)

- *To encourage the provision of the necessary supporting social services to enable parents to combine family obligations with work responsibilities and participation in public life, in particular through promoting the establishment and development of a network of child-care facilities;*

One of the major achievements of the Government of Saint Vincent and the Grenadines has been its Education Revolution. This has spanned all aspects of education from early childhood to post- secondary. Most of the development has taken place post 2001 when the number of children under the age of five attending early childhood schools amounted to 2,402. This was a 41.8% increase over the 1991 figure of 1,407. Between 2001 – 2004 this figure increased by 1000 and since then the Government has been working through the Ministry of Education on a mix of initiatives to improve access and quality of Early Childhood Education. One major initiative has been the improved monitoring of privately operated early childhood centres and the provision of training to teachers in these institutions.

#### **Article 12: ensuring equality for women in accessing health care**

*States Parties shall take all appropriate measures to eliminate discrimination against women in the field of health care in order to ensure, on a basis of equality of men and women, access to health care services, including those related to family planning.*

*Notwithstanding the provisions of paragraph 1 of this article, States Parties shall ensure to women appropriate services in connection with pregnancy, confinement and the post-natal period, granting free services where necessary as well as adequate nutrition during pregnancy and lactation.*

(The response to this Article is compiled with consideration to **General Recommendations Nos. 12, 15, 19 & 24**).

The situation with respect to the elimination of discrimination against women in the area of health in Saint Vincent and the Grenadines is continuing to improve. The basic information presented in the Initial Report remains valid with respect to the type of services available to women in the general area of health and with regard to sexual and reproductive health in particular.

As part of a process of Constitutional Reform during the Review period the Government sought to include specific provisions for equality of access for women to certain Health Care Rights but was unsuccessful as the Constitutional Reform Bill 2009 was not passed in a Referendum held for that purpose. The Content of that relevant section in that Bill was as follows:

“Art. 21 (1) Women and Men have equal rights and the same legal status in all spheres of political, economic, cultural and social life. All forms of discrimination against women and men on the basis of their sex are prohibited.

(2) The rights of women are ensured by according to women equal access with men to academic, vocational and professional training, equal opportunities in employment, remuneration and promotion; and in social, political and cultural activity. Moral support is to be encouraged for mothers and children including paid leave and other benefits for mothers and expectant mothers.

#### **Equality of Access to Health Care Services including Family Planning**

The Ministry of Health and the Environment is responsible for Health and Environmental policies and service matters. During the period under review, the ratio of health personnel to the population remained stable. At the primary care level, thirty-nine (39) Health Centres spread over nine (9) Health Districts provide services. Each Health Centre is staffed with a full time District Nurse, a Nursing Assistant and a Community Health Aide. Other District health team members such as District Medical Officer, Pharmacist and Environmental Health Officer provide support.

The geographic distribution of clinics in the country improved which enabled women, particularly rural women to have improved access. During the period 2001 – 2010 On an average, each Health Centre covers a population of 2,900 and no one is required to travel more than three (3) miles to access care. The primary care services include emergency care, medical care, prenatal and postnatal care, midwifery services, child health services including immunization, and family planning services; and communicable and non-communicable diseases control.<sup>9</sup> The Milton Cato Memorial Hospital, formerly known as the Kingstown General Hospital, is a 211 bed facility which is the only Government acute care referral hospital, providing specialist care in most areas.

Both males and females continue to enjoy equal access to health care. During the period under review, life expectancy of females remained constant at 74.5 years and this is contrasted with the life expectancy for males which was 71.5 years. The female population is thus expected to outlive the males. Males had a slightly higher mortality rate than females.

The main cause of death in the total population (male and female) from 1996 – 2002 was cancer. From 2002-2004 the principal cause of death was Diabetes and the

<sup>9</sup> Digest of Health Statistics, 1996 – 2000. Ministry of Health and the Environment. pg. 1.

leading causes for hospitalization was related to complications of diabetes and hypertension. The data on the Proportional Mortality Rate (PMR) for deaths from breast and cervical cancer as a percentage of total deaths shows that they constitute a relatively low number of deaths.

Pap Smear Screening service continued to be provided at subsidized rates during the period under review to detect the early presence of cancer in the cervix. Women are also being offered mammograms to detect possible breast cancer. The data shows however a declining trend in the number of Pap Smears which have been carried out between 1996-2002.

Given the increased focus on HIV Aids, Family planning services has benefited from new programmes which have been developed to target AIDS. These include information and public awareness programmes, provision of counselling services and the provision of family planning methods such as condoms. There has been an increased emphasis on abstinence and safe sex which will hopefully impact on teenagers in particular, given the concerns experienced on the impact of teenage pregnancy on girls.

The HIV AIDS Epidemic in St. Vincent and the Grenadines has been categorized as generalized. It has for good reason incurred a great deal of Government's attention and human resources during the period under review as the seriousness of the negative impact of this pandemic cannot be underestimated. The Government continues to spend approximately EC\$1.6 million of its own resources annually in the fight against HIV/AIDS.

The Government is working with international, regional and local partners in order to prevent the spread of HIV /AIDS through a Voluntary Counselling and Testing Programme and an intensive education and information strategy. The programme which is implemented through a coordinated approach by Government Ministries, Non-Governmental Organizations and Faith Based Organisations has resulted in the stabilization of the incidence of HIV/AIDS infections and an improvement of the quality of life of persons living with HIV/AIDS. Voluntary Care and Testing Providers and Trainers have received overseas training since 2003. Several National workshops have been organized.

Whilst the data shows a decreasing in the numbers of deaths there is the recognition that in St. Vincent and the Grenadines, it is being spread mainly by heterosexual contact. The Ministry of Health and the Environment has been conducting intensive programmes to focus public attention on the issue and to develop and implement strategies which will address the long term implications of the increasing incidence of the disease in the country. This seems to be having some impact. In 2000 HIV/AIDS ranked third as principal cause of death for both males and females, however by 2004 it had fallen to sixth place as principal cause of death.

During the Reporting Period the Government of St. Vincent and the Grenadines established various institutional structures to respond to the Disease. These included a National HIV/AIDS Task Force, a National AIDS Council and a National Aids Secretariat. National Strategic Plans have been developed with the most recent being the National Strategic Plan for the years 2010 – 2014.

Some of the main obstacles to the fulfilment of this Article are the attitudes prevalent in the society whereby some men resist the idea of using condoms and where women themselves are afraid to insist for fear of the negative or even violent

reaction on the part of their male partners. Much still needs to be done at all classes of society for many women to become confident and assertive in the control of their sexual reproductive health. The fact that their lives are being put at risk has not become a strong enough deterrent for them to confront the prevailing social and cultural attitudes. Similar attitudes also present an obstacle to the use of the condom as a family planning method although women have other alternatives easily accessible such as the pill.

Measures taken to address these obstacles include the Family Life Education Programmes in schools which seek to provide information and counselling to girls, many of whom are sexually active. Other measures include the development of strong public awareness programmes.

Some women contract HIV AIDS or sexually transmitted diseases or become pregnant as a result of rape. In situations where women are raped abortion is not available and although there is no crisis centre counselling or other support can be provided through the Family Court, the Family Services Division and the Gender Affairs Division.

The Ministry of Health has instituted since 2000 a national Prevention of Mother to child Transmission Programme offering voluntary counselling and HIV testing to all pregnant women and providing antiretroviral treatment to mothers and babies as necessary. In 2005 88% of pregnant women were tested for HIV.

Abortion is a criminal act. Where women seek assistance from the health services following upon an abortion which has not been properly performed, the health personnel have a duty to report the matter to the police, although the woman is provided with medical care for her condition.

### **Provision of Maternal and Child Health Services**

An update of the situation during the review period with respect to services for women shows that maternal and child health services continue to improve. There are now new clinics located in rural areas and plans are in place to continue the expansion and improvement of the physical infrastructure at existing facilities. This includes provision of improved services for the Grenadines.

Through the efforts of the Ministry of Health, the number of maternal deaths has been minimal. The antenatal and postnatal care for mothers has been carefully monitored and there is a continuation of public awareness programmes in the media promoting the importance of women's accessing antenatal care early in their pregnancy. These programmes and other efforts have been very effective and has resulted in the low level of maternal deaths as well as the early detection and management of potential complications.

Tubal ligation as a form of Family Planning after the birth of a child still remains prevalent. There has not been any change in relation to the need for permission by the husband of a married woman prior to this procedure being carried out.

All Antenatal mothers are counselled about HIV/AIDS and are encouraged to have an HIV screening test. Pregnant women who have been tested positive for the AIDS virus are offered the retroviral drug free of cost to reduce the risk of perinatal HIV infection. Postnatal care is also promoted as a means of stimulating the mothers

return to full physical and psychological health. During this period women are counselled on family planning.

Nutrition Support is provided to lactating mothers free of cost if it is observed that they are from a low-income family background. Nutrition Support is also provided to HIV/AIDS patients.

**Article 13: ensuring equality of women in social and economic life**

*States Parties shall take all appropriate measures to eliminate discrimination against women in other areas of economic and social life in order to ensure, on a basis of equality of men and women, the same rights, in particular:*

- *The right to family benefits.*
- *The right to bank loans, mortgages and other forms of financial credit;*
- *The right to participate in recreational activities, sports and all aspects of cultural life.*

During the period under review, the Government continued to institute measures to enable women and men equally to have access to support under the Public Assistance Programme. Such assistance is provided in the form of cash or in kind contributions and is usually of a temporary nature to enable persons who are in some way suffering from a social crisis to meet some of their basic necessities. These Programmes are ongoing.

This support is separate from the Public Assistance of a more long term nature provided to support those persons in society who are perceived to require a more sustained level of support over time as their circumstances required. Longer term assistance is given to persons placed on a Public Assistance List and constitutes persons who are disabled, or mentally challenged, or elderly among other criteria. Many elderly women are beneficiaries of this programme and receive a monthly stipend.

Other support in the programme is provided in the form of in kind assistance through the Family Services Division including the payment of rent for a house, the provision of clothing and food, among others. Women who are infected with HIV/AIDS and who have been shunned by their families or who are unable to work because of the social stigma attached to the disease have benefited from this programme. Other women such as those suffering from domestic violence and who require temporary financial support are also being assisted.

The Government has commenced the development of a programme to institute a Social Investment Fund for the promotion of programmes to address poverty. Women have been identified as one of the vulnerable groups which is being targeted in this regard.

The Government of St. Vincent and the Grenadines instituted since 2001 a micro-enterprise financing programme of which loans under \$15,000 are without security. Women comprise fifty six percent of the recipients.

**Article 14: securing the rights of rural women in Saint Vincent and the Grenadines**

*States Parties shall take into account the particular problems faces by rural women and the significant roles which rural women play in the economic survival of their families, including their work in the non-monetized sectors of the economy, and shall take all appropriate measures to ensure the application of the provisions of this Convention to women in rural areas.*

*States Parties shall take all appropriate measures to eliminate discrimination against women in rural areas in order to ensure, on a basis of equality of men and women, that they participate in all benefit from rural development and, in particular, shall ensure to such women the right:*

- *To participate in the elaboration and implementation of development planning at all levels;*
- *To have access to adequate health care facilities, including information, counselling and services in family planning;*
- *To benefit directly from social security programmes;*
- *To obtain all types of training and education, formal and non-formal, including that relating to functional literacy, as well as, inter alia, the benefit of all community and extension services, in order to increase their technical proficiency;*
- *To organize self-help groups and co-operatives in order to obtain equal access to economic opportunities through employment or self-employment;*
- *To participate in all community activities;*
- *To have access to agriculture credit and loans, marketing facilities, appropriate technology and equal treatment in land and agrarian reform as well as and resettlement schemes;*
- *To enjoy adequate living conditions, particularly in relation to housing, sanitation, electricity and water supply, transport and communications.*

The results of Population and Housing Census 2001 has shown the increase in unemployment since 1991. The adverse situation affecting the banana industry, resulting from the removal of protection of the European Union from imports of bananas from its former colonies resulted in an estimated 52 percent of banana farmers being forced to leave the industry since 1990 declining from approximately 7,894 to 3,800 in 2001.<sup>10</sup> It was assessed that women were more adversely affected since they comprise the majority of banana farm workers.

The banana fallout also resulted in a reduction is foreign exchange earnings from the Agriculture sector in Saint Vincent and the Grenadines' economy. Agriculture moved from being 21.2% of GDP in 1990 to 12.1% in 2000.<sup>11</sup> The conclusions of a Poverty Assessment Report of Saint Vincent and the Grenadines conducted in 1996

<sup>10</sup> Windward Islands' Banana Farmers Livelihood Study, 2001.

<sup>11</sup> Interim Poverty Reduction Strategy Paper, 2002.

revealed that 38% of the population in the country was poor and of this number, 20% were considered indigent.<sup>12</sup>

The situation caused by the deterioration in the banana industry has negatively impacted on rural women. Women comprised a large percentage of the number of banana farm workers and many were owners of banana farms in their own right. The impact has been felt mainly in the form of sharply reduced income as wage earners or as farmers. A study on the socioeconomic impact of the downturn in the banana industry<sup>13</sup> indicated that the situation particularly affected, women, children and the elderly.

The Government has instituted various measures to address the disproportionate impact of the situation on women. It has provided a micro-credit scheme which has enabled persons to access loans at minimal interest for the commencement of micro enterprises. Many rural women who have had to become self-employed have commenced trafficking or the exportation of produce to neighbouring islands. The programme of micro credit will enable them to finance their businesses.

Other agencies provided support and advice to rural women. These included the National Development Agencies which also provided loans, advice and technical support to its clients some of whom were rural women. The Government supported the work of the National Development Foundation (NDF), a non-governmental credit institution, by providing them with a grant of over one million Euros financed by the European Union's Stabex programme. From these funds, the NDF was able to underwrite many of the less "economic" loans to its clients, including rural women, without requiring the type of guarantee which would normally be requested.

Outstanding issues remaining to be addressed on behalf of rural women include the situation of provision of childcare. Under the ESDP full coverage of Early Childhood Education is being addressed by Government.

Health services for rural women continue to improve. Government intends to continue strengthen the quality of the facilities as well as the services in the rural areas.

Domestic Violence has affected rural women although not disproportionately. The small size of the country enables women to access transportation services rapidly to seek assistance from police and the Family Court if required.

Discrimination against persons from indigenous communities. Within the Vincentian society the issue of discrimination against persons from the indigenous Carib communities has to be addressed. These communities are geographically located far from other communities and have been considered isolated for some time.

Documentation showing the limited access of persons from the Carib communities to equal opportunities to health, education and other areas has resulted in these persons consistently being identified as members of the poor. In fact, the Poverty Assessment Report for St. Vincent and the Grenadines identifies the Carib communities as the most indigent in the country. According to the 2001 Census "The highest unemployment rate was reported in Sandy Bay, where the rate has

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<sup>12</sup> Poverty Assessment Report – St. Vincent and the Grenadines, Kairi Consultants Ltd. 1996.

<sup>13</sup> Kairi Consultants: The Socio-Economic Impact of the Restructuring of the Banana Industry – Vol I, 2000.

been increasing since 1980".<sup>14</sup> According to the data, Caribs were the dominant ethnic group (58.5%) in Sandy Bay.<sup>15</sup> The link between poverty and gender equity cannot be avoided. In a situation where the group suffers poverty, women and children will be most vulnerable. In this situation, "it was found special problems are faced by women: " gender segmentation of employment generally, fewer opportunities for un-waged work, and inability to access themselves of day care facilities. The Social Welfare Department has had more women seeking public assistance".<sup>16</sup>

**Article 15: women's equality before the law**

*States Parties shall accord to women equality with men before the law.*

*States Parties shall accord to women, in civil matters, a legal capacity identical to that of men and the same opportunities to exercise that capacity. In particular, they shall give women equal rights to conclude contracts and to administer property and shall treat them equally in all stages of procedure in courts and tribunals.*

*States Parties agree that all contracts and all other private instruments of any kind with a legal effect which is directed at restricting the legal capacity of women shall be deemed null and void.*

*States Parties shall accord to men and women the same rights with regard to the law relating to the movement of persons and the freedom to choose their residence and domicile.*

**General Recommendation No. 21 considered**

Generally, women in St. Vincent and the Grenadines continue to enjoy equality with men before the law.

Whilst, by virtue of Section 13 of the Constitution women are guaranteed equality before the law, there still remains some elements which serve to undermine this principle. There still exists an anomaly in the law concerning the rights of women who are in unions other than marriage. These unions constitute more than fifty percent of the existing unions.

Discriminatory provisions are related to their inability to approach the courts for equal protection and benefits as married women especially where their financial and property rights are concerned subsequent to the breakdown of the union. The existing legislation governs only the situations where persons are married.

The situation relating to marital property and the division of such property after divorce gives rise to discrimination against women in Saint Vincent and the Grenadines. Women who have worked within the home or have contributed less financially but who have contributed in raising children and discharging household duties often receive a smaller share of the proceeds of the marriage. Women are in these situations afraid or unwilling to leave abusive relationships and the discriminatory situation continues.

<sup>14</sup> St. Vincent and the Grenadines, Population and Housing Census Report, 2001, Statistical Office, Ministry of Finance, Planning and Development.

<sup>15</sup> Pg. 16, *ibid.*

<sup>16</sup> Dunstan Campbell et. al. pg. 19.

The courts in St. Vincent and the Grenadines are guided by the precedents set by legal decisions in similar cases tried in this jurisdiction or in other common law jurisdictions. It is not often possible to apply the principles of equality applicable to other, more developed jurisdictions. The factor which often supports the discrimination against women is the cost of pursuing such legal remedies which must be pursued in the High Courts as the lower courts are not entitled to hear them.. In addition, there might be a need to appeal and this increases significantly the cost of seeking justice. Many women become discouraged and disheartened at the length of time taken by the process, the cost and the general attitude of legal practitioners towards such type of cases, often considered a nuisance and not of serious merit.

The issue of legal aid becomes significant if equality before the law is to be a reality.

#### **Article 16: ensuring equality for women in marriage and family life**

**Consideration is given to General Recommendation No. 12 in the preparation of the Response of Saint Vincent and the Grenadines to this Article.**

*States Parties shall take all appropriate measures to eliminate discrimination of against women in all matters relating to marriage and family relations and in particular shall ensure, on a basis of equality of men and women:*

- *The same right to enter into marriage;*
- *The same right freely to choose a spouse and to enter into marriage only with their free will and full consent;*
- *The same rights and responsibilities during marriage and at its dissolution;*
- *The same rights and responsibilities as parents, irrespective of their status, in matters relating to their children; in all cases the interests of the children shall be paramount;*
- *The same rights to decide freely and responsibly on the number and spacing of their children and to have access to the information, education and means to enable them to exercise these rights;*
- *The same rights and responsibilities with regard to guardianship, wardship, trusteeship and adoption of children, or similar institutions where these concepts exist in the national legislation; in all cases the interests of the children shall be paramount;*
- *The same personal rights as husband and wife, including the right to choose a family name, a profession and an occupation;*
- *The same rights of both spouses in respect of ownership, acquisition, management, administration, enjoyment and disposition of property, whether free of charge or for a valuable consideration.*
- *The betrothal and the marriage of a child shall have no legal effect, and all necessary action, registration of marriage in an official registry compulsory.*

Consideration of the relevant **General Recommendations including No. 21.**

The Government of St. Vincent and the Grenadines has ensured that through the available legal structure, economic and social programmes being implemented, women have equal rights to men in relation to this Article. Under Article 13 of the Constitution of Saint Vincent and the Grenadines, equality of women with men in all spheres has been established. The legal rights as discussed in the Initial Report of 1994 continue to be enjoyed by all Vincentian women.

Notwithstanding, there are some issues that still need to be addressed. Firstly, in relation to women as individuals there needs to be an analysis of the situation of women in non-marital unions with a view to ensuring that all steps are taken to protect all their rights and fundamental freedoms. These rights would include all the rights which as individuals, women should enjoy which according to the Convention are those in the political, economic, social, cultural, civil or any other field. Primarily the issue raised by **Article 5** which deals with the **Elimination of Stereotypes** is critical. Other examples of this will be included under discussions of women's reproductive rights, women's rights at the workplace, in the ownership of property, and in relation to issues of domestic violence. Some assessment of whether these are in fact enjoyed by women in Saint Vincent and the Grenadines will be included in this report under the discussion of the various Articles. The general point can be made here however that women in relationships outside of marriage can avail themselves of the legal provisions which enable them to pursue their rights at the level of the Magistracy, the High Court, Appeal Court and the Privy Council.

**LIST OF ACRONYMS**

|          |  |
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| OECS     | Organization of Eastern Caribbean States         |
| GOVSVG   | Government of St. Vincent and the Grenadines     |
| SVG      | St. Vincent and the Grenadines                   |
| NESDEC   | National Economic and Social Development Council |
| IPRSP    | Interim Poverty Reduction Strategy Paper         |
| ILO      | International Labour Organization                |
| OAS      | Organization of American States                  |
| CEE      | Common Entrance Examination                      |
| UN-Women | United Nations Women (Formerly UNIFEM)           |
| NIS      | National Insurance Services                      |
| ESDP     | Education Sector Development Plan                |
| EAB      | Elderly Assistance Benefit                       |
| NDF      | National Development Foundation                  |

**ANNEXES****LIST OF DOMESTIC LEGISLATION IMPACTING ON WOMEN-****Revised Laws of Saint Vincent and the Grenadines 2009**

- Equal Pay Act (1994), Cap 210
- Protection of Employment Act, (2004) Cap 212
- Employment of Women, Young Persons and Children Act, Cap 209
- Wages Regulations (Agricultural Workers ) Order 2008
- Wages Regulations (Security Workers ) Order 2008
- Wages Regulations (Domestic Workers ) Order 2008
- Wages Regulations (Hotel Workers ) Order 2008
- Wages Regulations (Workers in Offices of Professionals ) Order 2008
- Wages Regulations (Industrial Workers ) Order 2008
- Wages Regulations (Shop Assistants ) Order 2008
- Wages Council Act CAP 217
- Shops (Hours of Opening and Employment) Act, Cap 214
- Education Act, Cap 202
- Further and Higher Education Accreditation Act, Cap 203
- National Insurance Services Act Cap 296

**BIBLIOGRAPHY**

- Interim Poverty Reduction Strategy Paper, 2002. Ministry of Finance and Planning, GOVSVG
- Report of St. Vincent and the Grenadines, Initial Second and Third Report to the CEDAW Committee, 1994;
- Medium Term Economic Strategy Paper 2002-2004, Ministry of Finance and Planning, GOVSVG. 2002
- Budget Speeches, 2001-2011 delivered by Dr. The Hon. Ralph E. Gonsalves, Prime Minister, Government of St. Vincent and the Grenadines
- Estimates of Expenditure 1994-2010, Ministry of Finance and Planning, Government of St. Vincent and the Grenadines;
- Population and Housing Census Report, 2001. Statistical Office, Ministry of Finance, Planning and Development, GOVSVG, 2005.
- Report of 2001 Election Statistics, Supervisor of Elections. St. Vincent and the Grenadines. 2001
- “Education Sector Development Plan 2002-2007”, Ministry of Education, Youth and Sports, GOVSVG. 2002
- Digest of Health Statistics, 1996-2000, Ministry of Health and the Environment GOVSVG, 2000.
- Digest of Health Statistics, 1998-2002, Ministry of Health and the Environment GOVSVG, 2002.
- Constitution of Saint Vincent and the Grenadines, 1979, Revised Edition of the Laws of Saint Vincent and the Grenadines, 2009.
- “Poverty Assessment Report – St. Vincent and the Grenadines”, Kairi Consultants Ltd. Trinidad and Tobago. 1996
- “Windward Islands Banana Farmers Livelihood Study”, 2001. Dunstan. Campbell et. al.
- OECS Family Law and Domestic Violence Reform Initiative “Green Paper”, OECS, 2001.
- OECS Human Development Report, 2002. OECS;
- Report on the General Elections held in St. Vincent and the Grenadines on 28th March, 2001”. Electoral Office, 2001.
- “A Report on the Status of the Social Sector in Saint Vincent and the Grenadines”, Zoila Ellis, 2000.
- Report on the Status of Women in St. Vincent and the Grenadines, 1995. Women’s Affairs Department.
- UN Human Development Reports 1995 – 2010, UNDP.
- Statement by Dr. The Hon. Ralph E. Gonsalves at the High Level Plenary Meeting on the Millennium Development Goals, September 2010

- “The Status of Millennium Development Goals Monitoring and Reporting in Selected Caribbean Countries”, ECLAC. 2009
  - “Four Years of progress- Poverty Reduction in St. Vincent and the Grenadines: April 2001-April 2005 “ Office of the Cabinet, Prime Minister’s Office, St. Vincent and the Grenadines, April 2005
  - “St. Vincent and the Grenadines Country Poverty Assessment 2007/2008 : Living Conditions in a Caribbean Small Island Developing State”, Kairi Consultants 2008
  - “Saint Vincent and the Grenadines HIV and AIDS National Strategic Plan 2010-2014 Together we can Fly”, National Aids Secretariat.
  - “Strategic Plan for Health 2007- 2012 : A Healthy Vincentian is a Wealthy Vincentian,” Ministry of Health of Saint Vincent and the Grenadines, May 2007.
  - “St. Vincent and the Grenadines Social Policy for Poverty Reduction and Social Development” Dr. Clive Thomas. University of Guyana. 2001
  - “St. Vincent and the Grenadines HIV/AIDS/STI National Strategic Plan 2004-2009” Ministry of Health and the Environment, Kingstown, St. Vincent and the Grenadines. 2004
  - “St. Vincent and the Grenadines Five Year Social Sector Plan 2005-2010” Zoila Ellis-Browne. 2010.
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