



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

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**Committee on the Elimination of Discrimination
against Women
Sixty-fourth session**

Summary record of the 1422nd meeting

Held at the Palais des Nations, Geneva, on Monday, 18 July 2016, at 3 p.m.

Chair: Ms. Hayashi

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The meeting was called to order at 3.05 p.m.

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

Combined fourth to seventh periodic reports of Trinidad and Tobago (continued)
(CEDAW/C/TTO/4-7, CEDAW/C/TTO/Q/4-7 and Add.1)

1. **The Chair** said that, at the invitation of the Committee, the members of the delegation would be speaking via video link from Port of Spain.

Articles 10 to 14 (continued)

2. **Ms. Henry-David** (Trinidad and Tobago), responding to questions raised at the previous meeting, said that the Primary Health and Family Life Education Programme was taught as part of social studies in primary schools, and that her delegation was therefore unable to say how many schools had incorporated it into their curriculum. However, a proposal was being developed to introduce health and family life education as a separate subject in primary schools. At the secondary level, 76 per cent of schools offered health and family life education.

3. **Mr. Barry** (Trinidad and Tobago) said that the Adolescent Mothers Programme was currently being evaluated to determine its results and impact. The Government's policy was to encourage adolescent mothers to return to regular schooling or enrol in another programme after participating in the Adolescent Mothers Programme.

4. **Ms. Boondoo** (Trinidad and Tobago) said that a major reform of labour legislation was currently under way. It involved reviewing all current labour legislation as well as reflecting on what new pieces of legislation might be needed. The reform was guided by international human rights instruments and the four key International Labour Organization conventions relating to gender equality. The Ministry of Labour was preparing a bill that would set out basic terms and conditions of work for employees.

5. In 2015, a bill had been submitted to Parliament that included domestic workers in the definition of the term "worker" set out in the Industrial Relations Act, but that bill had lapsed in June 2016. Consultations on the issue were ongoing, and the Ministry of Labour continued to take it into consideration in its work to amend the Act. In addition, a study on the situation of domestic workers was being conducted. The timeline for completion of the study would be provided in writing. Domestic workers had access to complaints procedures under the Minimum Wages Act and the National Insurance Act.

6. **Ms. Bailey**, noting the discrepancy between the compulsory age of school attendance set in the Children's Act and the age set in the Education Act, asked which one of the two was enforced. While the delegation had provided figures for the number of students who made the transition from primary to secondary school, she wished to know the net enrolment ratio, which was a different indicator.

7. Given that the teenage pregnancy situation had been described as a crisis in Trinidad and Tobago, pregnancy must contribute to school dropout in some way, and she would expect the Government to keep statistics on that. She wished to know how many of the participants in the Adolescent Mothers Programme did actually return to school and whether they suffered any stigmatization.

8. **Ms. Webster-Roy** (Trinidad and Tobago) said that, previously, school attendance had been compulsory for children from 6 to 12 years of age. However, the Children's Act of 2012 had made schooling compulsory for children from 5 to 16 years of age.

9. **Ms. Henry-David** (Trinidad and Tobago) said that her delegation was currently unable to provide the net enrolment ratio because it was having difficulty obtaining updated population projections based on the 2011 census.

10. **Mr. Barry** (Trinidad and Tobago) said that a sample survey of participants in the Adolescent Mothers Programme had been conducted. Of the 41 participants surveyed, 25 of them had returned to school or had obtained employment after completing the Programme.

11. **Ms. Arocha Domínguez** asked to what extent the health-care sector was involved in the efforts to raise awareness of the need for sexual and reproductive health education, and what social and legal measures were being taken to address the high rate of teenage pregnancy, especially since it appeared common for men between 25 and 40 years of age to have sexual relations with minors. It would be useful to have statistical data on the frequency with which contraceptives and condoms were used, as well as information about the specific measures being taken to prevent HIV infections among women under 24 years of age. She would also like updated data on the maternal mortality rate and asked whether unsafe abortion was a contributing factor.

12. **Mr. Sundaraneedi** (Trinidad and Tobago) said that a sexual and reproductive health policy was currently being finalized and would be ready for implementation in both the education and health-care sectors within three to four months. While contraceptives were available through family planning units, there were some legal obstacles to providing contraceptives to minors. Nevertheless, counselling and education were available to minors in specialized clinics for adolescents.

13. Further research was needed to determine the underlying causes of the spread of HIV/AIDS. Issues such as stigmatization and discrimination associated with HIV/AIDS testing and treatment also needed to be addressed. A national research programme was under way that covered, inter alia, gender-based violence, teenage pregnancy and human trafficking. Preventive measures had resulted in a marked decrease in mother-to-child transmission of HIV. Health-care workers were trained in dealing with migrants, victims of human trafficking and female sex workers, and testing services were promoted among key populations, such as sex workers. As a result, both the rate of new HIV infections among women and the prevalence among pregnant women had decreased in recent years.

14. Maternal mortality had dropped to 47 deaths per 100,000 live births in 2015. A women's health directorate had been established within the Ministry of Health in 2010, and steps would be taken to ensure that a clinical risk coordinator was assigned to every hospital maternity ward. Standard operating procedures for obstetric and neonatal services had been issued, along with a manual on mother and child health-care services. Only one case of maternal mortality had been reported thus far in 2016.

15. **Ms. Pargass** (Trinidad and Tobago) said that her Government was using two approaches to deal with teenage pregnancy: the criminal punishment of sexual abuse on the one hand and the decriminalization of sexual activity between teenagers in certain situations on the other hand. Parents, teachers and other persons dealing with children were required to report any suspected sexual abuse, with failure to report such abuse constituting a criminal offence. Mandatory reporting applied to female genital mutilation, sexual penetration and sexual touching. Mutually agreed sexual activity between consenting minors had been decriminalized in cases where both partners were between the ages of 12 and 14, 14 and 16 or 16 and 18 years old. The three government agencies that dealt with the social aspects of teenage pregnancy were the Children's Authority, the National Family Services Division of the Ministry of Social Development and Family Services, and the Student Support Services Division of the Ministry of Education, all of which provided psychosocial support to pregnant teenagers and their families.

16. **Ms. Boondoo** (Trinidad and Tobago) said that the spread of HIV/AIDS was seen not only as a health issue but also as a labour issue, since it affected individuals in the most productive years of their life. The Ministry of Labour had therefore established the National HIV/AIDS Workplace Advocacy and Sustainability Centre and had signed memorandums of understanding with a number of companies to implement the National HIV/AIDS Workplace Policy in their workplaces. That policy was currently under review; a new draft would be finalized in the coming months and would include a gender perspective.

17. **Ms. Webster-Roy** (Trinidad and Tobago) said that the Office of the Prime Minister was working to re-establish a coordinating committee for HIV/AIDS services.

18. **Ms. Arocha Domínguez**, expressing concern about the effectiveness of the cumbersome legal mechanisms in place to protect children from sexual abuse, said that she would like statistical data on the number of cases of sexual abuse tried in court and the number of sentences handed down to perpetrators, as well as further information about the treatment given to rape victims in order to prevent HIV infection after the fact.

19. **Mr. Sundaraneedi** (Trinidad and Tobago) said that post-exposure prophylaxis was offered to victims of rape at all primary and secondary health-care centres and that it had proven to be very effective.

20. **Ms. Pargass** (Trinidad and Tobago) said that, while mandatory reporting of suspected sexual abuse had been introduced in 2000 for certain categories of persons who dealt with children, anyone who became aware of sexual abuse had an ethical duty to report it. The establishment of the Children's Authority in May 2015 had resulted in a huge increase in the number of cases reported by members of the general public.

21. The Family and Children Division Bill, which had just recently been adopted, would radically change how child and family issues were dealt with in the judicial system. Family courts and children's courts would be set up in different parts of the country to ensure that children in the judicial system, both victims and offenders, were treated in accordance with international standards.

22. **Ms. Webster-Roy** (Trinidad and Tobago) said that her delegation would provide information in writing on the number of sexual offences committed against minors and on the number of minors between 11 and 17 years of age who had been charged with serious criminal offences.

23. **Ms. Zou Xiaoqiao**, referring to article 13 of the Convention, said that, in view of the fact that single parent women-headed households and those headed by women who had received limited education were most at risk of extreme poverty, she wished to know what measures had been taken to ensure that gender perspectives were incorporated into the Government's poverty reduction programmes; whether any systematic assessments had been conducted to evaluate the success of those programmes; and how many women living in situations of poverty had benefited.

24. She would be interested to know what action had been taken to eliminate the barriers frequently faced by women applying for commercial loans, and whether the State party had implemented any specific policies or measures to ensure that women enjoyed equal, discrimination-free access to bank loans and other forms of credit.

25. She wondered whether any data were available to demonstrate the extent to which the State party's Craft Training Programme for Women had been successful, and whether training in non-traditional sectors was also available for women. Lastly, she asked whether any comprehensive social protection policies were in place for vulnerable groups of women, such as women with disabilities and rural women.

26. **Ms. Acosta Vargas** said that she wished to know whether the study on the situation of rural women referred to in the State party's replies to the list of issues (CEDAW/C/TTO/Q/4-7/Add.1) had been carried out and, if not, when the Government intended to begin the relevant work. She asked whether the delegation could provide information on the rate of unemployment for rural women; whether there were any social protection measures specifically for teenage mothers and women heads of household living in rural areas; and how the State party ensured that rural women had the opportunity to participate in the development of environmental and climate change policies. Lastly, expressing concern at reports that rural women were at increased risk of violence when travelling early in the morning or late at night, she asked what action was being taken to protect women in such situations.

27. **Ms. Webster-Roy** (Trinidad and Tobago) said that women and men had equal access to loans and other forms of credit offered by financial institutions. If, however, a woman considered that she had been a victim of discrimination, she could seek redress through the courts or by submitting a complaint to the Equal Opportunity Commission. Government agencies also offered women the opportunity to apply for small loans and grants to help them to establish microenterprises. While there were no specific social protection measures in place to protect rural women or women with disabilities, any grievances they had could be filed with the Equal Opportunity Commission, the services of which were open to all. It was also worth pointing out that NGOs often provided extra support in areas in which government policy currently fell short.

28. **Mr. Barry** (Trinidad and Tobago) said that the Policy, Research and Planning Unit of the Office of the Prime Minister was in the process of designing and conducting assessments related to a number of training programmes for women, including the Craft Training Programme for Women.

29. **Ms. Webster-Roy** (Trinidad and Tobago) said that plans were under way to enhance the public transport network in rural communities and provide vehicles adapted to the needs of persons with disabilities. The draft national policy on gender and development and the associated action plan contained specific measures and objectives to foster the participation of rural women in the development of climate change policies.

30. **Ms. Bailey**, noting that well over 50 per cent of the recipients of microenterprise loans were women, said that she wished to know whether the total funds awarded to women was equal to or greater than the total amount awarded to male applicants; in the experience of the Committee, women applicants often received a smaller percentage of the funds available.

31. **Ms. Jahan** said that, in the light of the fact that Trinidad and Tobago was particularly susceptible to tropical storms and climate change — phenomena which disproportionately affected women, she would be interested to know whether the State party's climate change management and disaster risk reduction policies took account of the gender dimension and, if so, how.

32. **Ms. Johnson** (Trinidad and Tobago) said that there were currently no social protection measures aimed specifically at teenage mothers and women heads of household living in rural areas. Their situation was, however, an area of concern, and was covered in the draft national policy on gender and development.

33. **Ms. Webster-Roy** (Trinidad and Tobago) said that the information outstanding, which related to the incorporation of gender perspectives into poverty reduction programmes and the proportion of microenterprise funding awarded to women, would be provided to the Committee within the 48-hour time limit.

Articles 15 and 16

34. **Ms. Halperin-Kaddari** said that she would appreciate the delegation's comments on reports that the Equal Opportunity Commission had received twice as many complaints of discrimination from men as from women, which suggested that women had less confidence in the justice system and were thus less willing to complain.

35. Regarding article 16 of the Convention, she wished to know whether the four different marriage acts in force in the State party regulated only the marriageable age applicable under that regime, which in one case permitted girls as young as 12 years old to marry, or whether the acts also governed other aspects of marriage, such as divorce, the division of marital property and child custody rights. Information on the reality of married life for underage girls would be appreciated.

36. The division of marital property under the separate property regime, in which purchases made by one or the other partner before and during the marriage were retained by them upon divorce, was disadvantageous to women, in particular those in traditional gender roles and young married girls. She asked what provisions were in place to safeguard the economic rights of women and girls after divorce; whether women victims of domestic violence were required to use mediation during divorce proceedings; and whether the courts were obliged to consider allegations of family violence when deciding upon custody arrangements.

37. Lastly, expressing concern about reports that the number of de facto polygamous relationships was on the increase, she asked whether the Government was aware of that phenomenon and, if so, how it protected the rights of women in such relationships.

38. **Ms. Pargass** (Trinidad and Tobago), referring to the suggestion that women lacked confidence in the justice system, said that while there was no firm evidence to support or deny the reports received by the Committee, the Equal Opportunity Commission had invested significant resources and campaigned extensively to raise awareness of its services among both women and men.

39. The reality of married life for girls under 15 years of age and those aged between 15 and 19 years had not been researched and thus only anecdotal evidence was available. Some did drop out of school or become pregnant. A married child was, however, viewed as an emancipated child, which meant that she had most of the rights and responsibilities enjoyed by adults, including custody of children after divorce. Of the four marriage acts in Trinidad and Tobago, only the Muslim Marriage and Divorce Act also regulated divorce. It did not, however, govern the division of property on dissolution of marriage, which was subject to civil law under the Matrimonial Proceedings and Property Act. Custody of minors was dealt with under the Family Law (Guardianship of Minors, Domicile and Maintenance) Act.

40. Under the separate property regime, any asset acquired during the marriage was considered to be joint property. Women could acquire equitable rights to property even if their name did not appear on the title deeds; the courts assessed each case on its individual merits, taking into consideration the contribution made by the female partner in terms of childcare and domestic work. There had, for instance, been cases in which women had obtained a 50 per cent share of the property by virtue of those equitable rights even though they were not named on the title deeds.

41. Divorce proceedings involving allegations of domestic violence were not submitted for mediation. The recently adopted Family and Children Division Act contained provisions that would change the way cases of domestic violence were handled in the courts and it was envisaged that the Act, once fully implemented, would address many of the issues arising under article 15 of the Convention.

42. **Ms. Halperin-Kaddari** said that she wondered whether any research had been conducted into the economic consequences of the dissolution of family relations. While women could acquire equitable rights, the process would undoubtedly have certain financial implications, such as court costs, which might be a barrier for some women, including, in particular, young girls, who were unlikely to instigate court proceedings in order to realize their rights. She urged the State party to review its current legislation in the light of the Committee's general recommendation No. 29 on the economic consequences of marriage, family relations and their dissolution.

43. Lastly, she reiterated her question as to whether judges were required to take allegations of domestic violence into consideration when deciding on custody and visitation arrangements.

44. **Ms. Webster-Roy** (Trinidad and Tobago) said that to date no research had been conducted into the economic consequences of divorce but that the Committee's comments would be given due consideration.

45. **Ms. Pargass** (Trinidad and Tobago) said that, in cases of divorce, judges took any allegations of domestic violence into account and could request that such claims be investigated in order to ascertain whether certain custody arrangements might pose a risk to the children involved. Because applications for protection orders in cases of domestic violence were heard in the same magistrates' court as applications for custody and maintenance, the judge would be aware of any such allegations when deciding upon custody arrangements.

46. **Ms. Webster-Roy** (Trinidad and Tobago) said that she wished to thank the members of the Committee for what had been an insightful and constructive dialogue and that the Government looked forward to receiving the Committee's concluding observations. She reaffirmed the commitment of Trinidad and Tobago to the implementation of the Convention and pledged to ensure that all outstanding information would be provided within 48 hours.

The meeting rose at 5 p.m.