

TREATY BODY MONITOR

International Service for Human Rights



Human Rights Monitor Series

COMMITTEE ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN 43RD SESSION DOMINICA, 7TH REPORT 21 JANUARY 2009

Key facts	1
Information submitted to the Committee	1
State report.....	1
List of issues.....	1
NGO information.....	2
Themes and issues.....	2
Non-reporting.....	2
Violence against women.....	3
Poverty and employment.....	3
Other issues	4
Conclusions and next steps	4

Key facts¹

Ratification	Reservations	Party to Optional Protocol?	Other core treaties ratified
1980	None	No	ICCPR, ICESCR, CRC

Information submitted to the Committee

State report

Dominica has not yet submitted its initial report (due in 1982) or its periodic reports to the Committee on the Elimination of All Forms of Discrimination against Women (the Committee).

List of issues

¹ The information in this table is sourced from the Office of the High Commissioner for Human Rights (OHCHR), and is available at www.ohchr.org/EN/Countries/Pages/HumanRightsintheWorld.aspx.

In the absence of initial and periodic reports, the Committee provided its list of issues to the State on 12 August 2008.² The Committee requested an explanation as to why Dominica has never submitted its initial or subsequent reports. Since the Committee received no general and factual information about Dominica, it asked a series of questions about the legal status of the Convention on the Elimination of All Forms of Discrimination against Women (the Convention) in domestic laws and policies. In addition, the list of issues requested statistical information on a series of issues.

The State submitted no written responses.

NGO information

The National Coalition of Dominican Women submitted a **written report** to the Committee.³

The report by the National Coalition of Dominican Women focused on several matters that were also raised by the Committee in its list of issues, such as violence against women, health, employment, and Dominica's failure to submit its reports. In addition, the National Coalition of Dominican Women denounced the government's neglect of indigenous Carib women and women with disabilities.

At the beginning of the session, the National Coalition of Dominican Women gave an **oral presentation** reiterating the issues it raised in its report.

Themes and issues

The delegation of Dominica was led by Mrs Ruth Allport, Permanent Secretary for the Ministry of Community Development, Culture, Gender Affairs and Information. She was supported by Mrs Alix Boyd-Knights, Honourable Speaker in the House of Assembly.⁴

In her opening remarks, Mrs Allport thanked the Committee for the opportunity to present Dominica's progress since ratifying CEDAW. While she acknowledged that the Government of Dominica is aware that it has not met its obligations, it appreciates the Committee's flexibility in starting a constructive dialogue on the status of women in Dominica. Dominica is working towards the progressive realization of social and economic rights for women, but it does so within a context of economic difficulties. Nonetheless, the State adopted a national policy and action plan for gender equality in 2007. Mrs Allport then gave a lengthy presentation on the status of women in Dominica with little statistical information. She reiterated that the Government is working to prepare its first report for the Committee in 2010.

Both the delegation and the Committee seemed interested in starting a dialogue on the Convention. The Committee stressed that this was the first time it had considered a State in the absence of a report, and it underscored Dominica's obligations to produce a full report rather than an introductory statement. Mrs Allport was able to answer many of the Committee's questions with occasional support by Mrs Boyd-Knights, but the Committee seemed frustrated at times by the general nature of the answers.

Non-reporting

² CEDAW/C/DMA/Q/7 is available at <http://www2.ohchr.org/english/bodies/cedaw/docs/AdvanceVersions/CEDAW-C-DMA-Q7.pdf>.

³ The NGO report is available at http://www2.ohchr.org/english/bodies/cedaw/docs/ngos/DNCW_Dominica_CEDAW43.pdf.

⁴ The delegation's statement is available at http://www2.ohchr.org/english/bodies/cedaw/docs/statement/DominicaStat_43.pdf.

The Committee engaged the delegation in an extensive discussion on the importance of reporting, as it is a legal obligation for States under Article 18 of the Convention. Committee Chairperson Ms Naela Gabr asked the delegation what difficulties it faced in reporting and whether or not it sought technical assistance from the UN. Committee member Ms Dubravka Šimonović asked the delegation why it perceives CEDAW's procedural obligations as non-binding when Dominica has reported for the Convention on the Rights of the Child in 2004. She urged the delegation to explain why it failed to produce a report despite an invitation from the Committee in 2007. Committee member Ms Nicole Ameline emphasized that the drafting and preparation of the report is not just an international obligation but also a useful means for governments to measure their progress and mobilize the strengths of the whole society. She asked the delegation to describe how it intends to involve each ministry in defining quantifiable objectives and implementing good practices.

Mrs Allport defended her previous acknowledgement of Dominica's lack of reporting and offered her regrets that a report has not been submitted. Numerous draft reports had been prepared over the years but were rejected as they lacked enough participation from other ministries and the public sector. Dominica has accepted technical assistance from the United Nations Development Fund for Women (UNIFEM) and will present its report in the year 2010. Despite the island's limited resources, Mrs Allport affirmed that she recognized the State's obligations under CEDAW, calling Dominica's failure to report "gross negligence" for which she hopes the Ministry of Community Development, Culture, Gender Affairs and Information could make amends.

Violence against women

Committee member Ms Barbara Evelyn Bailey dismissed the delegation's idea that violence against women is not associated with culture, stating that the link exists elsewhere in the Caribbean where patriarchy is reinforced in schools, church, and media. She asked the delegation to clarify the extent to which it would rule out cultural stereotypes and norms as factors contributing to violence against women. Ms Šimonović requested statistical data on the number of protection orders issued and the availability of shelters for victims. Ms Coker-Appiah asked the delegation if it had performed any studies to identify the various types of violence that occur in Dominica, the reasons why violence occurs, and if violence was more prevalent in the indigenous Carib community.

Mrs Allport informed the committee that Dominica does collect data on violence. Violence coincides with the use of drugs and alcohol. Thus, the higher prevalence of alcohol use in Carib territory may lead to higher levels of violence. Mrs Boyd-Knights stated that the Government has faced difficulties eradicating domestic violence because of the belief that a man beats his wife because he loves her; however, the Government has made limited progress due to the fact that abuse was interpreted widely. Domestic violence legislation offers a number of protection orders that prevent the perpetrator from entering the victim's house or workplace, and anyone may file a report on behalf of the victim. Domestic violence receives priority in court, and a shelter is available for abused women.

Poverty and employment

Committee member Ms Zou Xiaoqiao asked the delegation to address the status of women in rural areas, including their activities and access to resources. Mrs Allport discussed the 'housing revolution program' in which houses were made available to poorer families, including many single-mother households. The largest problem in rural areas is unemployment stemming from the collapse of the banana industry. The Government is working to counteract this unemployment with the growing tourism sector.

Committee member Ms Pramila Patten asked the delegation how it addressed pay gaps, particularly in the private sector, and if it planned to take any steps to implement equal pay for equal work. Mrs Boyd-Knights said that while equal pay for equal work finds acceptance in larger, more public businesses, the concept is harder to enforce among small businesses.

Ms Bailey asked if there was any initiative to address discriminatory hiring practices since statistics show that men with lower levels of certification are hired over women with high levels of certification, pushing women into the unregulated, less-protected informal sector. Mrs Allport claimed that women were well represented in the public service but provided no data. She explained that women were not pushed into lower levels of public service; rather, more women worked in administrative positions than in managerial ones. Women increasingly work in the informal sector as vendors due to the increase in tourism. Within this informal system, most vendors are self-employed. Mrs Allport added that specific figures will be presented in the future report.

Other issues

Regarding **education**, Ms Bailey pressed the delegation on claims that girls were verbally and sexually abused in schools, in some cases by teachers. She asked the delegation about access to education and if provisions existed for girls with special needs. The delegation informed the Committee that the Government instituted public assistance programs for poor children, providing free transportation to students in rural areas and transfer grants for children moving from primary to secondary school. Some schools exist for children with special needs.

Regarding **healthcare**, Committee member Ms Silvia Pimentel asked the delegation to specify the health services available to women throughout their life cycle and to highlight the services available for elderly women and women with disabilities. The delegation suggested that elderly women might receive less attention because they probably do not seek healthcare. While basic care is available for women with disabilities, the delegation admitted that more has to be done.

The Committee also engaged the delegation in discussion on the following themes: political will, temporary special measures, the Optional Protocol to the Convention, discrimination against women, trafficking, teenage pregnancy, and property rights.

Conclusions and next steps

On behalf of herself and Mrs Boyd-Knights, Mrs Allport thanked the Committee for the opportunity to discuss the status of CEDAW in Dominica. She hoped that the Committee found the delegation's replies to be helpful in understanding and evaluating Dominica, and she asked the Committee to approve Dominica's request to prepare a report with the assistance of UNIFEM for 2010.

Ms Gabr thanked the delegates of Dominica for beginning a dialogue with the Committee despite the absence of a report. She emphasized that while this session was the first time the Committee had considered a State without a report, the Committee has always worked in a flexible manner so that it can best discuss the means of improving the status of women. Ms Gabr reminded the delegation to cooperate with civil society and NGOs in the preparation of its report, and she reminded the delegates to include disaggregated data in their report. In addition, Ms Gabr reiterated the importance of this dialogue and the importance of disseminating information about CEDAW.

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