

COMMONWEALTH OF DOMINICA

REPORT

On

Two Areas of Achievement and Challenges in Respect to the Brasilia Consensus

Presented at the

Twelfth Session of the Regional Conference on Women

In Latin America and the Caribbean

September 17th 2013

BACKGROUND

The Commonwealth of Dominica is committed to protect and maintain the rights of all its citizens as is enshrined and expounded in the Constitution. Chapter 1, section 1 of the 1978 Constitution of Dominica, provides for the protection of human rights and fundamental freedoms for all persons as outlined in the provisions for the protection of fundamental rights and freedoms:

Whereas every person in Dominica is entitled to the fundamental rights and freedoms, that is to say, the right, whatever his race, place of origins, political opinions, colour, creed or sex, but subject to respect for the rights and freedoms of others and for the public interest, to each and of all of the following, namely:

- (a) life, liberty, security of the person and the protection of the law;*
- (b) freedom of conscience, of expression and of assembly and association; and*
- (c) protection for the privacy of his home and other property and from deprivation of property without compensation.*

This means that women, men, boys and girls are entitled under the supreme law of the land to equal rights to exist in freedom, dignity, peace and non discrimination.

Further, with regards to institutional arrangements concerning gender and development the Government of Dominica is guided by several regional and international treaties including: the Commonwealth Plan of Action, the Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women (Convention of Belem do Para), International Convention on Economic, Social and Cultural Rights, Beijing Declaration and Platform for Action, the Equal Remuneration Convention, the Convention on the Elimination of all forms of Discrimination against Women (CEDAW), the CIM plan of action, and the United Nations Millennium Development Goals.

In the face of dwindling resources and other social and economic challenges aggravated by the global financial meltdown, Dominica continues to make strides towards the social economic achievement of women and indeed towards full gender equality and equity. This is done through a range of programmes interventions, legislation and policy formulation many of which are directly related to those listed in the Brasilia Consensus.

That notwithstanding, there are many challenges that retards progress towards full realization of the commitments agreed to in the various treaties/convention including the Brasilia Consensus. The government of Dominica reaffirms its commitment to diligently pursue the task of improving the status of women and promote and advance gender equality and equity in all spheres of the country's development, in compliance with the relevant national, regional and international frameworks mentioned above.

I. TWO MOST RELEVANT ACHIEVEMENTS OF THE BRASILIAN CONSENSUS

INTRODUCTION

Over the last two decades, Dominican women have seen achievements in several key areas. In education, females continue to outperform their male counterparts. In the area of health and wellness, indications are that women outlive men as is evident by the number of female centenarians which account for twice the number of women (20) as men, from a national total of thirty. While it cannot be said that women have made inroads in the highest level of decision making on the island, the situation is more favourable for women in senior executive positions in the private sector and is about equal among men and women in the office of Permanent Secretary in the public sector.

In fact, there is a public perception that generally, women in Dominica have surpassed men in all areas of development and as such men are now at greater disadvantage than women. However such perception cannot be verified in the absence of statistical data and cannot be stated as fact.

In the absence of the much anticipated census report of 2011 to be made official, indications are that women have attained some measure of achievements in several of the areas listed in the Brasilia Consensus. It can also be concluded that no one area of achievement is more relevant than the other; hence the Bureau of Gender Affairs has decided on two areas for discussion for the purpose of this report, as per No. 2 of the Consensus namely: Enhance the Citizenship of Women; and no. 4. Address all form of Violence against Women. The two areas were chosen based on the volume of work undertaken from the bureau's perspective, as well as the potential for possible impact on all other areas mentioned in the Consensus.

Enhance the Citizenship of Women

The Government of Dominica adopted a National Policy and Action Plan for Gender Equity and Equality in 2006 aimed to improve the quality of life of citizens and to contribute to gender awareness among policy makers, planners, implementers and the general public and to eventually mainstream gender across sectors. The policy seeks to provide a framework towards promoting and advancing the social, economic and political rights of women and men and ensure gender equity and equality. Most importantly, improving the status of women is at the centre of the national gender policy which places focus on a number of key areas where women were at a greater disadvantage namely: Gender and the Economy; Political Decision-making; Family, Sexuality and Gender based Violence; Health and Medicine; Stereotypes, Cultural Beliefs and Practices and Education and Human Resource Development.

The overall goal of this policy is to promote gender equity, equality, social justice and sustainable human development in Dominica. Its aims include:

- To improve the quality of life at all levels of society
- To improve relations between the sexes
- To transform inequitable gender relations in order to improve women's status relative to that of men where lingering disabilities keep women in subordinate positions.

- To transform inequitable gender relations in order to improve men's status relative to that of women and other men where lingering disabilities keep men in disadvantaged positions.
- To facilitate social and domestic peace and reduce the levels of violence in the society
- To provide a culturally and nationally relevant framework for the implementation of the required structures to effect equitable development
- To support efforts to improve gender awareness among policy makers, planners, implementers and the general public of the national legal provisions
- To strengthen the capacity of and collaboration among persons within the institutional structures which could effect change and guarantee equality of status of women and men within national development.

In effect the national gender policy seeks to influence state policy on selected areas whereby strategies can be identified to facilitate new and equitable relations between women and men. It provides a written commitment by the government through which the population can evaluate and monitor these achievements.

Since the adoption of the policy and with funding from UNFPA and UN WOMEN, there has been steady move towards implementation. There have also been reports of changes taking place in various departments of government in a number of areas namely:

- ❖ Capacity building of gender focal points through workshops on gender analysis has assisted senior officers within government ministries and statutory bodies to better discharge their functions in ensuring that the policy is implemented within the respective departments and ministries.
- ❖ Special provision created by government for single female heads of household to own their homes as part of the government "housing revolution" programme.
- ❖ Improvement in equal treatment of women in male dominated agencies. For example, the police are now open to the advancement of female officers to senior level positions within the force. Also, a recent policy was instituted to include provision for female quarters in the construction of new police stations
- ❖ As part of the government thrust to promote small enterprise development; single female heads of households are targeted for assistance under the Ministry of Trade's Small Business Development Programme
- ❖ The Labour Standard Act was reviewed prohibiting employers from maintaining differences in wages on the basis of sex. No employer shall establish or maintain differences in wages between male and female employees in the same business, performing under same working conditions and jobs requiring similar skills, efforts and responsibility
- ❖ Efforts at improving the situation of domestic workers was also pursued by the Labour Division

- ❖ Heightened publicity and dissemination of information on the gender policy through community /town hall type sessions and on invitation of various community and church-based organization and groups have been ongoing.
- ❖ There is a new wave of assertiveness among Dominican women, as they become more educated and informed of their rights. At a series of consultations held recently in preparation of the revised national policy, women were very vocal in reporting that since the national policy they were better able to assert their rights and take a stance on issues affecting them and their family. For example, women boldly stated that they were now more ready to fight back violence and other forms of abuse against them.
- ❖ The gender mainstreaming efforts has been taken to various levels to ensure that a gender perspective is considered in all other policy frameworks being developed within the government system. This was quite evident during two recent policy development exercises for HIV/AIDS and Agriculture.
- ❖ A National Advisory Committee for gender equity and equality has been established. The committee which involves both men and women from private and public sector and civil society, is charged with the responsibility to oversee and monitor the implementation of the gender policy as well as the relevant women's conventions.

In 2012 with funding secured from UN WOMEN for the acceleration of the implementation of the national gender policy, the government of Dominica engaged a Gender Specialist Consultant to undertake a review of the national gender policy with a view to make it more relevant and to incorporate new and emerging gender concerns for consideration.

With the project still being implemented, a number of outcomes have been realized including a draft updated national gender policy which proposes some new policy measures namely: Economic Growth and Poverty Reduction; Climate Change, Natural Disasters and Natural Resource Management; Agriculture and Food Security; Labour and Employment; and Health and Well-being. Areas maintained from the existing policy are; Leadership and Decision-making; Education and Human Resource Development and Family, Sexuality, Cultural Beliefs and Practices.

Other expected outcomes are, a Strategic Plan on Gender Mainstreaming, a National Action Plan for Gender Violence Prevention and a proposal for Institutional Strengthening of the Bureau of Gender Affairs which is the national machinery for women and gender affairs.

Also more than 100 persons including Permanent Secretaries and other senior government officials, police officers, health personnel, persons from the legal and justice sector, the education sector, community leaders and women and men organizations and other key persons from the private sector and civil society around Dominica, have benefited from gender sensitization and analysis training and are better equipped to spearhead the implementation of the updated gender policy thereby ensuring that gender is fully integrated and mainstreamed in various areas of policy, programmes and plans particularly within government departments.

The updated national gender policy, the national plan for gender violence prevention and the national gender strategic plan, will soon be presented for approval within the next few weeks.

Once approved and implemented, Dominica will be well poised to achieve gender equality and in effect, enhanced citizenship of men, women, and children as well as other strategic outcomes.

11. Address all forms of Violence against Women

Violence against women and / family violence has been uppermost in the work of several government and non government agencies especially the Bureau of Gender Affairs and its partner agencies. Continuous attention has been placed on a range of actions and interventions ranging from, public awareness and advocacy, prevention programs, legislation and policy formulation, victim support mechanism, data collection and dissemination, police training and community outreach among such programmes. Skills training and enterprise development targeting disadvantaged and women at risk are among such activities.

Nevertheless, despite ongoing sustained effort by many agencies working to curtail the problem of violence, the issues continue to be one of the most challenging, because of the complexities of the problem which among other factors, is grounded in human behavior and social cultural norms and practices.

To this end, the Bureau of Gender Affairs has been engaged in numerous activities in collaboration with the Dominica National Council of Women, women's groups at the community level, the Police, The Legal Aid Clinic and CariMAN(Caribbean Male Action Network), to host several events especially during major national and international observances such as International Women Day; 16 Days of Activism against Gender Violence; World Men's Day and World Rural Women's Day, during which a variety of events are organized in creating public awareness and education on the issue. Policy makers are also targeted in an effort to solicit attention towards creating the enabling environment and resource allocation, policy and law reform aimed at eliminating all form of gender/family violence especially violence against women and children.

The Legal Aid Clinic: established since 2004, access to justice is made available to low income residents at fees related to their ability to pay. Clients are provided legal advice and representation in criminal matters, family/maintenance matters, housing/land matters, employment, wills/probates, summary advice, and legal education, and probation and protection orders. Women, disabled and senior citizens are the primary targets and users of services offered by the Legal Aid Clinic.

Work with Young People: In order to end the circle of violence, the Bureau of Gender Affairs has worked with young persons through youth groups and school based programmes, as well as public awareness and advocacy, utilizing various media, workshops and artistic forms and popular theatre. For example, boys and girls forum dubbed 'Straight up' a forum with Dominica's young men and youth leadership workshops. Community outreach (on the Block) and one –on-one sessions , home visits and community workshops and a TV drama serial "Wake Up Call" are all activities aimed at changing negative attitudes, cultural norms and perceptions which contribute to perpetuate the circle of violence against women/gender violence.

Education materials on laws pertaining to women and families and other such publications, was developed by the Bureau for public distribution and formed part of the community outreach

mentioned earlier. Also during these house to house campaigns, community members are instructed on their rights, informed of support services available and are referred for counseling and other such assistance as may be required. There has been wide circulation of these education materials in the form of pamphlets on: Gender Policy, Maintenance Act, Domestic Violence Act, Ending Violence against Women and the Married Women’s Property Act.

A Central Registry within the Bureau of Gender Affairs was established in 2011 to function as a national domestic violence surveillance system involving Five (5) agencies. These include the Police, the Social Welfare Division, the Legal Aid Clinic, the Dominica National Council of Women and the Bureau of Gender Affairs. The Central Statistics Office provides technical assistance to the Registry. However, it must be noted that two agencies namely, the Ministry of Health and the Magistrates Courts are not part of the system. For this reason it must be understood that the records from the Central Registry does not reflect the national situation at this time.

However, from the data gathered, the records clearly show that the majority of the victims for all types of abuse are women and the perpetrators are usually men.

| Type of Abuse | Sex of the Victim | Sex of the Accused | | Total |
|-------------------------|-------------------|--------------------|--------|-------|
| | | Male | Female | |
| Physical | Male | 11 | 17 | 28 |
| | Female | 75 | 13 | 88 |
| Sexual | Male | 13 | 1 | 14 |
| | Female | 218 | 8 | 226 |
| Psychological/Emotional | Male | 4 | 11 | 15 |
| | Female | 82 | 8 | 90 |
| Verbal | Male | 0 | 8 | 8 |
| | Female | 65 | 4 | 69 |
| Financial | Male | 0 | 1 | 1 |
| | Female | 38 | 2 | 40 |
| Other | Male | 3 | 12 | 15 |
| | Female | 13 | 13 | 26 |

Training Workshops were conducted by the Bureau with various stakeholder organizations including the police, women organizations, community and church based organizations and youth organizations across island, on gender violence and human rights issues. Of particular interest was the series of training sessions held in seven police districts, on their understanding and handling of domestic violence matters and their contribution to the Central Registry. As a result, a special request was made by the police administration for the Bureau to hold regular sessions on domestic violence with new police recruits. The first of such session was held with a new contingent of police recruits who recently graduated from the Police Training School.

The Bureau of Gender Affairs has continue to use its two radio programmes to disseminate information on gender and issues affecting women and their families as part of its public awareness programmes.

In addition to the Legal framework under the constitution for the protection and support women's rights, there are other provisions in the laws of Dominica such as:

- ❖ The Protection against Domestic Violence Act (No. 22 of 2001).
- ❖ Married Women's Property Act (chapter 35:60) of the revised laws of Dominica (1990).
- ❖ Aspects of the Maintenance Act (chapter 35:61) of the revised laws of the Commonwealth of Dominica.
- ❖ The Sexual Offences Act (of 1989).
- ❖ The Offences against the Person Act (of 2003).

- ❖ The national policy on gender equity and equality as well as the newly updated national gender policy contain measures to protect, prevent and punish all form of violence including violence against women and gender based violence.

In order to effectively eliminate the problem of violence against women and indeed all form of gender violence, an integrated multi-sectoral approach should be considered as the way forward while the necessary supportive mechanism including tighter and improved legislation and the creation of new laws should be on the card.

II. TWO CHALLENGES AFFECTING THE FULFILLMENT OF THE BRASILIA CONSENSUS

Gender Violence and Economic Challenges

Though significant work has be done in the area of violence against women through a wide range of activities involving several government and non-governmental organizations, their continue to be major challenges and threats in fully achieving the mandate of the Brasilia Consensus in respect of violence against women, as indeed other similar regional and international treaties such as the Belem du Para Convention and the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW) which the country has ratified. There is great need for a more coordinated multi-sectorial approach to dealing with the issue of violence in Dominica and need for better services such as a fully functioning Safe Home for battered women, a fully equipped Family Court for hearing of family matters and more trained professionals to administer counseling and other related services.

Also while there are a few laws pertaining to violence against women, due consideration is being given to the passing of the proposed OECS Family Law Reform which would greatly improve the legal framework for dealing with violence against women and family in Dominica and put the country at par with the other OECS member States. The enactment of the Sexual Harassment Bill by adopting the CARICOM model legislation on Sexual Harassment is another priority for Dominica.

The pockets of poverty present in Dominica are a factor contributing to gender violence and violence against women, and is another challenge affecting achievement of women in Dominica.

According to the Country Poverty assessment report, of 2011, while there has been an overall reduction in poverty from 39% to 29%, females are most likely to be unemployed, as the rate of unemployment in 2011 stood at 11.1 percent for males and 17.6 percent for females. The poverty rates are proportional among both males and females.

As a direct response to the unemployment situation and in an attempt towards poverty reduction, the Government of Dominica has embarked on programmes targeting women and young people especially single mothers, through skills training, small enterprise and personal development. Also as part of a special education support programme secondary school students are provided free transportation and book and a \$500.00 grant monthly.

A government housing programmes has benefitted many single women and their families. Under this programme a number of single women are owners of their house.

Though the country poverty assessment report shows an almost equal rate of poverty among women 28.9% and men 28.8 percent, the impact is different on women compared to men, because of the care giving role of women in the family. From the report it was noted that men prefer to remain in a visiting relationship, while many mothers remain 'single'. This has resulted in women being the primary providers for their children, some of whom would resort to engaging in illegal activities, in the pursuit of ways to provide for their family.

The report concluded that the structure of the labour market and the nature of gender relations have resulted in men exercising control and power over poorer women. Hence it can be concluded that in situations where men control power and

authority over women, the possibility of violence against women is more likely to increase.

The government is seeking to alleviate poverty through a number of safety net programmes.

The Welfare Assistance Programme has continued to play a vital role in helping to meet some of the needs of the most disadvantaged. Women, particularly rural women have recorded higher participation figures in poverty alleviation programmes. In 2008, 28.9 percent of males (650 males) and 71.1 percent females (1601) were recipients of the government's public assistance programme. Of these recipients, 1,346 or 59.8 percent live in rural communities, with women making up 68.0 percent of the total recipients from these rural villages. This confirms that women are still much more vulnerable to poverty and hardships.

The Bureau of Gender Affairs has done its part in responding to the economic plight of women through promotion of economic activities and the establishment of a Revolving Loan Fund operated by the National Development Foundation of Dominica. Special attention has been given to the situation of rural women through agricultural project, skills training and enterprise development. The Bureau has used such observances like the World Rural Women's Day to promote and advocate for improved status of women and eradicate gender violence and poverty.

During the past few years the focus was raised on the concerns of rural women, highlighting their many issues and concerns. During last year's WRWD observance the Bureau collaborated with several partners in organizing a very successful Culinary and Art exposition which provided an opportunity for rural women to showcase their skills at preparation and sale of local foods and arts and craft items thereby creating opportunity for enterprise development for rural women. Beginning this year they received added impetus as it has been incorporated as part of the country's calendar of events for the 35th National Independence Celebrations. Plans are well underway to host the Exposition which is promoted as a family event.

It can be concluded that despite the challenges highlighted above, the situation is not insurmountable. In light of the current effort by the Government of Dominica to implement the national gender policy, there is great potential for continued achievements of Dominican women as set out in the Brasilia Consensus and the full realization of gender equity and equality in Dominica.

