



FOLLOW-UP MECHANISM
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**BARBADOS
COUNTRY REPORT
THIRD ROUND**

I. Introduction

1. This report has the objective of evaluating the progress of Barbados in the implementation of the Belém do Pará Convention in the 2014-2016 period, obstacles identified, present observations and recommendations. This report has been elaborated taking into account the responses given by Barbados to the indicator system of MESECVI, in the framework of the third round of multilateral evaluation, in 2016. The second round report and its recommendations, as well as legislation and official government information, were also consulted.
2. Barbados responded to a set of indicators provided by the CEVI, providing a wide and relevant amount of information, even when there was a large amount of indicators left with no response. The CEVI appreciates the availability of the government of Barbados in complying with its commitments to the Belém do Pará Convention and its follow-up mechanism.
3. This report is divided in the following sections: Legislation, National Plans, Access to Justice, Information and Statistics and Diversity. In each section, the reception of the right, financial context and budgetary commitments and state capacities will be analyzed in order to follow-up on the rights contained in the Belém do Pará Convention.

II. Analysis of the progress made in the realization of women's right to live a life free of violence

LEGISLATION Articles 1, 2, 3, 7c, e & g

Structural:

4. Both the narrative report and the indicator matrix submitted by Barbados does not provide a basis for making an evaluation of progress made in implementation of the Convention since the second evaluation round. The only areas covered were Legislation, National Plans and Access to Justice and this in a less than systematic manner with reference to only a small number of indicators in any of the three major areas – structural, process and result indicators. Two conclusions could be drawn: either that the Convention has not been systematically implemented or that the technical capacity required for the preparation of the report was not in place. The report is therefore very fragmented and incomplete. The following was gleaned in relation the themes that were addressed and even so with a high dependence on alternative sources of information.

5. Two central issues are pivotal to a State's indication that they have taken steps to incorporate the Belem do Para Convention in domestic legislation. The first is incorporating the definition of violence against women in line with that in legislation on violence against women as well as incorporation of the various forms of violence in anti-violence legislation (R1).
6. In relation to a definition of violence against women in line with that in the Convention and the form that this violence takes, in the 2012 Second Hemispheric Report it is noted that the definition used in the anti-violence legislation did not include the terminology of the Convention, namely: action omission or conduct, results in death, injury or suffering, injury or suffering is physical, sexual or psychological, women, girls and adolescents affected; and, affects public and private sectors.
7. Subsequent to 2012, the present report indicates that in January 2016, the Government of Barbados passed an Act to amend the *Domestic Violence (Protection Orders) Act, 1992* Cap. 130A to extend the definition of domestic violence and to make greater provision for the safety of victims and the accountability of perpetrators of domestic violence.
8. Firstly 'domestic violence' is violence that occurs in only one of the many sites in which women experience violence. The Act itself therefore already narrows the scope of violence against women as referenced in the Convention which is concerned about violence against women not only in the private sphere but also in the public sphere. As a result, the expanded definition in the Domestic Violence Act limits provisions only to the private domain but nonetheless, as previously indicated in the Second Hemispheric Report it is acknowledged that the harm experienced in the domestic sphere can be emotional (psychological), financial, physical and sexual as indicated in the excerpt from the Act:

'..... the wilful infliction or threat of infliction of harm by one person in a domestic relationship upon another person in that relationship and includes child abuse, emotional abuse, financial abuse, physical abuse and sexual abuse;' (p.5)¹
9. In relation to legislation regarding certain forms of violence against women, two significant gains have been realised since the Second Multilateral Evaluation round in relation to measures taken to incorporate provisions of the Belem do Para Convention in domestic legislation. In the second evaluation round it was noted that there was no information on the matter of legislation addressing rape and other forms of violence within marriage (R4) and a recommendation was made that attention be given to

¹ Domestic Violence – Protection Orders Act 2016 Barbados.

https://www.barbadosparliament.com/uploads/bill_resolution/907d022cc76d0c58b3353e80836ba3e6.pdf

developing legislation to address rape and sexual violence in marriage and common-law unions. This has now been addressed and the 2016 amendment to Section 3 subsection 4 of Cap. 154 of the Sexual Offences Act now removes all the previous specific grounds, limited to cases of legal separation, under which marital rape was recognised and states that:

'A husband commits the offence of rape where he has sexual intercourse with his wife without her consent by force or fear, where he knows that she does not consent to the intercourse or is reckless as to whether she consents to the intercourse'.²

10. Recommendation R2 on trafficking and forced prostitution was addressed in the Second Multilateral Round but, at that time, Barbados provided no evidence of having enacted legislation for protecting women and girls from human trafficking and forced prostitution. Subsequently, however, in 2013 a National Task Force for the Prevention of Trafficking was established and in 2016 Trafficking in Persons Prevention Act, was enacted repealing the Transnational Organized Crime (Prevention and Control) Act, 2011 (Act 2011-3) in order to make fuller provision for the prevention of the trafficking in persons and the implementation of the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention Against Transnational Organized Crime. The Act broadens the scope of the offences by creating an offence where trafficking in persons takes place within the country.³ The Act also covers exploitation in relation to a number of areas including forced prostitution:

- a) keeping a person in a state of servitude, including domestic and sexual servitude;
- b) the exploitation of the prostitution of another; and,
- c) engaging in any other form of commercial sexual exploitation, including, pimping, pandering, procuring, profiting from prostitution and maintaining a brothel.⁴

11. In the 2016 US State Department Report it is however noted that:

Compelling prostitution under Article 20 of the Offences against the Person Act is punishable by five years' imprisonment, while the transnational trafficking of an adult under the TOC Act is punishable by a potential fine with no jail time, both of which are not commensurate with Barbados' prescribed penalty for rape, which is life imprisonment.⁵

² Sexual Offences Act Cap. 154.

https://www.barbadosparliament.com/uploads/bill_resolution/b9be745b04ef7b2dacd94bdf4c98a76c.pdf

³ https://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=en&p_isn=102713

⁴ <https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/102713/124283/F-630313955/BRB102713.pdf>

12. R3 addresses sexual harassment in a number of sites including school and health facilities. In the Second Multilateral Round it was reported that a draft Bill had been delayed since 1995 and there was an advocacy group calling for broadening the scope of the provisions. No information is provided in the current report on progress made in moving this matter forward. A media report indicates, however, that the Sexual Harassment (Prevention) Bill, 2016 is still being fine-tuned and should soon be on the statute books. The author, opines that:

- an objective definition of sexual harassment should be incorporated;
- employers and employees should be able to look at the definition and know where the line is drawn in the sand;
- the legislation should include a requirement that every workplace have a sexual harassment policy with a schedule of guidelines outlining the minimum standard as well as the responsibility of the employer where the employee is subjected to harassment by customers, clients or service providers in the course of their duties.⁶

13. The Royal Barbados Police Force (RGPF) defines homicide as the unlawful killing of another person and cases are recorded and prosecuted as homicides or, in some instances, as manslaughter. Victims of homicide in Barbados have been predominantly male. However, between 1980 and 2010 of the 636 homicides 75 % of the victims were males, making them three times more likely to be victims than females. Since 2012, however, there has been an increase in the proportion of female victims and although in 2013 domestic violence accounted for 33% of all homicides,⁷ In the capturing of data on murders no distinction is made between the murder of a male *vis-a-vis* that of a female, the latter now being increasingly referred to as femicide (R6).

14. As in the previous evaluation round limited or no information was provided on State violence against women. This includes: violence perpetrated by the state or its agents (R8); sexual violence in armed conflict which is not known to exist in Barbados and therefore may not be applicable (R7); sexual violence as torture or crime against humanity; and, sexual violence in hospitals and educational institutions and deprivation of liberty.

15. Information should also have been supplied on legislation on sexual and reproductive rights of women and girls. Concerns under this rubric included:

⁵ <https://www.state.gov/j/tip/rls/tiprpt/countries/2015/243393.htm>

⁶ Archer, Alicia, *Sexual Harassment in the Workplace*. Barbados Today. September 9, 2016. <https://www.barbadostoday.bb/2016/09/09/sexual-harassment-in-the-workplace/>

⁷ Bailey, Corin, Crime and Violence in Barbados. IDB Series on Crime and Violence. June 2016. [https://publications.iadb.org/bitstream/handle/11319/7774/Crime-and-Violence-in-Barba legislation on state violencedos-IDB-Series-on-Crime-and-Violence-in-the-Caribbean.pdf?sequence=4](https://publications.iadb.org/bitstream/handle/11319/7774/Crime-and-Violence-in-Barba%20legislation%20on%20state%20violencedos-IDB-Series-on-Crime-and-Violence-in-the-Caribbean.pdf?sequence=4)

- a) penalisation of obstetric violence – no information was presented in either the second or this third report (R9);
 - b) termination of a pregnancy is addressed in the Medical Termination of Pregnancy Act 1983-4 referenced in the second multilateral round (R10/11). This Act states that:
 - (1) The treatment for the termination of a pregnancy of not more than 12 weeks duration may be administered by a medical practitioner if he is of the opinion, formed in good faith:
 - (a) that the continuance of the pregnancy would involve risk to the life of the pregnant woman or grave injury to her physical or mental health; or
 - (b) that there is substantial risk that if the child were born, it would suffer such physical or mental abnormalities as to be seriously handicapped.
 - (2) The written statement of a pregnant woman stating that she reasonably believes that her pregnancy was caused by an act of rape or incest is sufficient to constitute the element of grave injury to mental health required by subsection (1)(a).
 - (3) In determining whether the continuance of a pregnancy would involve such risk of injury to the health of the pregnant woman as is required by subsection (1) (a), the medical practitioner must take into account the pregnant woman's social and economic environment, whether actual or foreseeable.
16. Between 12 and 20 weeks duration of a pregnancy the opinion of two doctors is required and after 20 weeks the law requires the opinion of three doctors.
- a. Penalisation of forced sterilisation (R12) – no information is supplied in either the second or third evaluation round.
 - b. Penalisation of insemination without consent (R13) – no report was given in either the second or third evaluation round but the issue has surfaced in Barbados with a statement from the Executive Director of the Barbados Family Planning Association that the organisation is not in favour of forced sterilisation of women who have had multiple pregnancies;⁸
 - c. Provision for distribution of free emergency contraceptives (R14) – no information provided in either the second or third report but in spite of the fact that there is no policy or legislation governing dispensing of emergency contraceptives it seems to be available in private pharmacies.

Process & Results

⁸ <http://www.nationnews.com/nationnews/news/80239/bfpa-frowns-forced-sterilisation>

17. Limited information is presented on the existence of systematic training, staff training and awareness of the public sector officials on the legal tools of punishment, protection and the promotion of women's right, particularly the right to a life free of violence. It is reported that the Bureau of Gender Affairs and the Task Force on Human Trafficking mounted workshops for members of the Royal Barbados Police Force and workers of the Immigration Department. However, no information is provided on the results realised from the actions taken in relation to effectiveness of the mechanisms used to achieve structural outcomes or of the results obtained from these endeavours.

Qualitative signs of progress

18. In relation to qualitative signs of progress, no data are presented in respect of the initiatives undertaken. There is, therefore, no basis for determining the impact of the measures taken to ensure reception of the right in relation to the incorporation of provisions of the Convention in domestic legislation.

NATIONAL PLANS Article 1, 2, 8(c), 8 (d) & 8 (f)

Structural Indicators

19. The information presented in this section of the report is very inadequate and is not aligned with the listed indicators.

20. R17 addresses the existence of a National Plan of Action that identifies strategies for the prevention, attention and eradication of violence against girls and adolescents as well as adult and elderly women. In the second round it was noted that there is no national plan but the Office of Gender Affairs provides services to victims and assailants and provides financial assistance to women's groups to offer support services. In regard to the latter, the current report indicates that there is a single shelter owned by the government with support from a non-governmental organisation for day-to-day operations.

21. Information was also solicited on whether violence against women is addressed in other national plans of actions or strategies (R18). In the second round the response indicates that it was anticipated that domestic violence would be addressed in a National Plan of Action on HIV/AIDS 2008-12. The plan was developed and includes attention to gender relations and dynamics intended to integrate gender into all components of the NSP.⁹

⁹ https://www.blp.org.bb/wp-content/uploads/2016/12/bb_National_HIV_Strategy_2008.pdf

22. The current report also makes reference to the development of a Draft National Policy on Gender which is still in the making. A media report cites the then Acting Permanent Secretary as referring, in March 2016, to the recent completion of a draft National Policy on Gender Affairs which was to be submitted to Cabinet for consideration.¹⁰ The Gender Policy, therefore seems to be still outstanding and whereas it would provide a guiding framework through which gender perspectives would be brought to the forefront of national planning in order to advance development, and, would invariably, include among many other issues, violence against women and girls. It would not, however, do so in the same way as would a multi-sectoral National Plan of Action on VAW which would lay out a comprehensive, coordinated approach to developing strategies related to the full range of structural indicators.
23. In relation to continuing training plans for pertinent decision-makers and authorities (R19), the current report makes reference to a MOU between the Office of the Attorney General and UN Women which will provide a framework and facilitate cooperation in a number of areas related to gender based and domestic violence. These include
- a) Enhanced efficiency and accountability of the Court and Court Officers in addressing impunity around gender-based violence;
 - b) Enhanced capacity of the Royal Police Force in responding to gender-based violence;
 - c) Improved nationally owned data and analysis by the Courts and Police on state response to gender-based violence; and
 - d) Improved understanding by society of their rights and redress as it pertains to gender-based violence including all forms of violence against women and domestic violence.

Under this MOU a series of training dialogues will target the Royal Barbados Police Force and both the Magistrate Courts as well as the High Court.

24. Two other indicators identified under National Plans relate to the engagement of Civil Society (R20) in the development, execution and monitoring of plans or joint activities and the mounting of campaigns to disseminate rights of women and/or the Belem do Para Convention. In the second evaluation round the indication was that these types of activities only occurred during the 16 days of activism following the November 25 which marks the International Day for the Elimination of Violence against Women. In relation to these concerns no information is provided in the current report.

¹⁰ <https://www.barbadostoday.bb/2016/03/09/draft-gender-policy-to-go-before-cabinet/>

ACCESS TO JUSTICE Article 7 (d), (f), 8 (c) & (d)

25. Several distinct concerns are covered under this rubric and information should have been supplied in relation to the following concerns;
26. Entities receiving complaints of violence against women (R22): In the second round it was reported that the number of entities had not increased. Reference has already been made to two additional entities that have been established since the second round. In 2013 the Sex Crimes and Trafficking Unit was established in the RBPF which has responsibility for preventing, prosecuting and protecting victims of trafficking. The second also located in the RBPF is the Family Conflict Unit which according to the Coordinator 'is staffed by a team of trained police officers, was an investigative one which looked at the circumstances and situations surrounding the behaviour of the parties involved. In addition, it provides guidance to the wider police force on matters of domestic violence. It was also noted that 'too often police officers were faced with the challenge of victims failing to pursue criminal charges against their attackers, withdrawing Protection Orders or choosing not to pursue cases.'¹¹
27. Conciliation ban in violence against women (R5): In the previous report (2012), it was also reported that conciliation, mediation and other methods to achieve extrajudicial settlement to violence against women girls and female adolescents are not banned. This Expert confirmed by information from an alternative source where the Coordinator of the Family Conflict Unit opines that 'Services extend to not just the victim, but also the attacker, where he or she could receive counselling for this or her behavioural problem in an effort to resolve the conflict within the relationship. Putting the matter in court is not just about sending the perpetrators to prison, but helping them to recognise that they have a behavioural problem and need help, so they could get the necessary counselling. Of note is the fact that the *Domestic Violence (Protection Orders) (Amendment) Act, 2016* facilitates the enrolment of perpetrators of domestic violence in the appropriate rehabilitative programmes. However, the law should be amended to remove such extrajudicial provisions to ensure that perpetrators are not encouraged to act with impunity.
28. Protocols of care for victims in official and indigenous languages (R27): The 2012 second round report indicates that Barbados had recently adopted protocols for the police and health care workers but these would only be in English, the official language. There are no indigenous populations and so there would be no need for these to be produced in other languages. No additional information is provided in this third round and no assessment can therefore be made of the efficacy of these protocols.

¹¹ <http://gisbarbados.gov.bb/blog/family-conflict-unit-get-help-early/>

29. Protective measures for victims, relatives or witnesses (R25/26): Protection for victims of Domestic Violence is covered in the *Domestic Violence (Protection Orders) (Amendment) Act, 2016* which extends the classes of persons who are considered to be victims of domestic violence as well as the classes of persons who may intervene in applications before the Court on behalf of victims of domestic violence.¹² There is no indication that these measures extend to relatives and witnesses.
30. Use of the Convention in judgements (R26): In the second evaluation round it was reported that no studies had been carried out to determine if the Convention had been invoked by the courts in legal judgements and opinions and whether judgements contain stereotypes, prejudices, myths and customs (R28/29). No further information is supplied in the current report.
31. Administrative measures and specialised services: In relation to administrative measures and specialised services in place to support victims their relatives and witnesses no information has been provided in the current report. In the second multilateral round the only response was to the existence of secure referral networks (R26). In the second round the response related to the shelter financed by the government and operated by non-governmental organisations which does not readily relate to the notion of a secure referral network.
32. Specialised Services for victims – Article 8(d) and (f): R 30 called for the establishment of more shelters for women victims of violence. In the second round reference is made to the single shelter that exists financed by the government and operated by civil society organisations (R31). No additional information is provided in the third round and there is no indication that additional shelters have been established.
33. In relation to free legal aid before and during court proceedings and psychological counselling (R30), the second round makes reference to services available through civil society with financial resources and/or technical assistance from the government. In relation to a free 24 hour hotline, it was indicated in the second round that this had been established by the government and operated by civil society. No additional information is supplied for this current round and it is, therefore, unclear whether this service still operates.

INFORMATION AND STATISTICS Article 8(h)

¹² *Domestic Violence (Protection Orders) (Amendment) Act, 2016*

https://www.barbadosparliament.com/uploads/bill_resolution/907d022cc76d0c58b3353e80836ba3e6.pdf

34. Response to second round: In the second round Barbados reported that it had gathered country specific information on domestic violence by partnering with the Caribbean Development Research Services Inc. (CADRES) on a study that assessed the prevalence and characteristics of domestic violence in Barbados and organised a Consultation to discuss the findings. However, there was no indication that the findings of the CADRES survey have been disseminated and there is no indication of how the findings are being used to inform the way forward in addressing and eradicating violence against women. It was also reported that data are collected by the police on violence against women.
35. It was also indicated in the previous report that data collected by the police are not sex-disaggregated and are not readily accessible to the public. An alternative source points to the fact that ‘The Bureau of Gender Affairs cited a lack of specific information and an appropriate mechanism for collecting and evaluating data on incidents of domestic violence as the major impediment to tackling gender-based violence’.¹³
36. No additional information was included in the report on the third evaluation round on matters related to information and statistics.

BASIC FINANCIAL CONTEXT AND BUDGETARY COMMITMENTS

37. Allocations reported in the second round: In the second evaluation round it was indicated that funding was limited to:
- a) As well as support from international and development agencies, there was an allocation of BDS \$10,000 to address gender based violence from public funds.
 - b) The Government also provides BDS \$350,000 towards the shelter for victims of violence.
 - c) The hotline launched by the Government, although managed by the SAVE Foundation Counselling is provided by the Welfare Department free of cost.
38. Absolutely no information is provided in the third report related to the Financial Context and Budgetary Commitments of the State to facilitate implementation of a legislative agenda in line with the Convention. This is also the case in relation to developing and implementing a National Plan of action, ensuring access to justice and gathering information and statistics. There is therefore no valid information that could

¹³ Barbados. Bureau of Democracy, Human Rights and Labour 2007-
<http://www.state.gov/g/drl/rls/hrrpt/2006/78879.htm>

be used to inform an assessment of measures to facilitate implementation and State compliance with obligations under the Convention. In this regard, no assessment is therefore made.

II. Recommendations

39. The summary presented in the previous report warrants reiteration.
40. Based on the information provided by the State Party pursuant to the signing and ratification of the Belem do Para Convention, some effort has been made to protect women's rights in relation to violence and other forms of abuse and this is commendable. The efforts, however, do not seem to be specifically and systematically directed at meeting obligations under Belem do Para but appear to part and parcel of general programmes under the aegis of the Bureau of Gender Affairs aimed at promoting gender equality and women's empowerment.
41. A major gap therefore is the absence of a specific plan of action to prevent, punish and eradicate violence against women and this requires urgent attention. In designing and developing such a programme gains would also accrue to addressing concerns in other critical commitments including the Beijing Plan of Action, the CEDAW Convention as well as the Commonwealth Plan of Action for Gender equality, all of which include violence against women as a critical issue.
42. The absence of specific budgetary allocations to support anti-violence measures is also a major concern since this has implications for the adequate provision of services and the mounting training and sensitization and public education programmes. Increased resource allocation and capacity building is needed to develop the **National Women's Machinery (NWM)**, key ministries, agencies and organisations. There should be increased allocations to service providers in order to augment their support to victims. Programmes to tackle gender-based violence should be part of a national, gender-responsive budget.
43. Having laws in place that address violence against women both regulates behaviour and show that society considers such violence unacceptable, rather than a private or cultural matter. However, while legal reform is important, it is not enough. It only deals with the violence after the event, without addressing the root causes or making inroads into eradicating it. There must be societal change through education and empowerment of women.¹⁴ Eliminating violence against women calls for an

¹⁴ *New Gender Mainstreaming Series on Development Issues: Integrated Approaches to Eliminating Gender-Based Violence*. Commonwealth Secretariat. p.120.

- integrated approach that tackles the issue in a systematic and holistic way. The ongoing collection of relevant data is essential to facilitate the monitoring and evaluation of the effectiveness and impact of programmes as well as the extent to which the problem is declining.
44. The CEVI is grateful for the answers provided by Barbados in its report. Additionally, it congratulates the State for the progress made during the period of the Third Follow-up Round.
 45. In accordance with the information presented and the recommendations already contained in this report, the CEVI recommends the State to:
 46. Include a comprehensive definition of violence against women, in line with the Belem do Para Convention, must be integrated into Barbadian law;
 46. Carry out an evaluation of the current legislation that addresses issues of violence and discrimination should be conducted to ensure that full rights and protection against violence against women, in both the private and public spheres, are granted to women;
 47. In relation to trafficking, the US Department of Justice made several recommendations to the Government of Barbados in 2016 including the need to: Enact and implement amendments to the anti-trafficking law to prohibit all forms of human trafficking and prescribe penalties that are sufficiently stringent (without an alternative of a fine) and commensurate with those prescribed for other serious crimes, such as rape; convict trafficking offenders, including complicit officials, and provide appropriate sentences for their crimes; train law enforcement and prosecutors in proactively identifying, obtaining, preserving, and corroborating evidence to reduce dependence on victim testimony; train and encourage government officials to implement procedures to proactively identify labour and sex trafficking victims among vulnerable populations, such as Barbadians and foreigners in prostitution and migrant workers; provide adequate funding to organizations that assist trafficking victims; continue to enhance partnership with Barbados' NGO community to combat human trafficking; provide anti-trafficking training to its diplomatic personnel; and make efforts to reduce the demand for commercial sex acts or forced labour;¹⁵
 48. Complete and introduce the Sexual Harassment Bill;

¹⁵ <https://www.state.gov/j/tip/rls/tiprpt/countries/2016/258722.htm>

49. Ensure that the full range of sexual and reproductive rights of women and adolescent girls are addressed through appropriate legislative or other protective measures that punishes forced sterilisation, that guarantees access to emergency oral contraceptives and that punishes non-consensual artificial insemination;
50. Collect data that can be used to assess the efficacy of mechanisms instituted to protect the rights of women against violence and the extent to which legislative measures are enforced.
51. Barbados is commended for its work with civil society to address the problem of VAW. There is a concern, however, that there is no comprehensive, multi-sectoral national plan has been developed and implemented by the government. The plans that are currently in plans seem to have the issue of VAW as a secondary focus and not the primary focus of the programme and seem to be fragmented rather than integrated.
52. The state needs to formulate a comprehensive, multi-sectoral, integrated national plan of action that will holistically address all dimensions of violence against women and girls.
53. The MOU with UN Women needs to be immediately actioned so that a comprehensive training programme can be developed and implemented, not only for members of the RBPF and magistrates, but also for the range of agencies and stakeholders engaged in combating and eradicating violence against women.
54. Develop and implement a public awareness campaign to raise the visibility of the Convention in the State Party and to sensitise stakeholders, in both the public and private sectors, to the rights of women and girls in this regard and their obligations under the Convention.
55. The costing of the above activities needs to be carried out and gender budgeting introduced across all sectors to ensure that resources, both human and financial, are in place to support these initiatives.
56. A clear monitoring and evaluation strategy needs to be developed and relevant data collected to determine the quality, impact and effectiveness of these interventions.
57. Mount campaigns to educate women on their rights in relation to issues of violence against them and encourage them to make reports to the police and follow through with charges against the perpetrator.

58. The Government of Barbados needs to identify factors that militate against the establishment of entities, other than the police, through which female victims of violence can register complaints. Once such factors are identified resources (financial and human) need to be identified for the establishment of special entities for this purpose;
59. Assess the extent to which extrajudicial measures are used to deal with violence against women and girls and ensure that they are banned to discourage perpetrators to act with impunity.
60. Evaluate the extent to which protocols for the police and care givers adequately cover all concerns and provide useful data that can inform policy formulation and targeted interventions;
61. A protocol needs to be established to guide the collection of data on protection orders which allows for the capturing of information on number of complaints, types and number of orders issued and the time frames in both instances. Also determine the extent to which these orders extend to relatives of victim and witnesses;
62. Conduct studies and review court judgements and decisions to determine the extent to which the Convention is used to inform such decisions.
63. Immediate action should be taken to disseminate the Convention of Belem do Para to all branches of the Judiciary and educate them on State obligations under the Convention and raise awareness of how it might be applied in rulings and judgements related to cases of violence against women, girls and adolescent females.
64. Ensure that the full range of administrative measures are in place to support women victims of violence particularly access to free legal aid before and during court proceedings.
65. A study should be commissioned to assess the impact of stereotypes, prejudices and myths as well as the personal history of victims in the prosecution of cases of violence against women and their impact on sentencing of offenders.
66. Indicators related to gender-based violence listed in Item 35 need to be identified and used as the basis for collecting relevant, comprehensive data on all aspects of the problem and all related programmes offered through government and non-government sectors disaggregated by age, marital status, type of violence and geographic location.

67. A coordinating mechanism for managing the collection, compilation and the development of a national database on gender-based violence and specifically violence against women needs to be urgently established.
68. The amounts reported for programmes and services seem minimal. Given that the ‘Government of Barbados remains steadfast in its commitment to the total eradication of all forms of violence against women and fully supports initiatives aimed at attaining this goal’,¹⁶ a budget consistent with the extent of the problem needs to be allocated to support activities listed in Item 30 aimed at addressing the needs of victims, educating the public about prevention and eradicating the problem.

ANNEX

1. Given that the State presented its observations on the National Report referring to specific points of the same Report, they are included using this format below.
2. Point 6. The State Party acknowledges the concern raised about the definition of violence against women. The establishment of a Committee to develop a National Plan of Action against such violence will provide the opportunity for the definition to be revisited, analyzed and where possible amended to reflect the Convention.
3. Point 12. The State Party notes the opinion of the author relative to the Sexual Harassment legislation, and reports as follows:

The Sexual Harassment (Prevention) Act 2017-21 was enacted on November 20, 2017. In terms of a definition of sexual harassment, the Act clearly outlines the behaviors subsumed under sexual harassment:

- a) The use of sexually suggestive words, comments, jokes, gestures or actions that annoy, alarm or abuse a person;
- b) The initiative of uninvited contact with a person;
- c) The initiative of unwelcome sexual advances or requests of sexual favors from a person;
- d) Asking a person intrusive questions that are of a sexual nature that pertain to a person’s private life;
- e) Transmitting sexual offensive or material of any kind
- f) Making sexual offensive phone calls to a person or
- g) Any other sexually suggestive conduct of any offensive nature.

The Sexual Harassment (Prevention) Act 2017-21 also speaks to the obligations of the employer and is set out in the Policy Statement in section (4) of the Act.

¹⁶ Report on the Implementation of the Beijing Declaration and Platform For Action (1995) and the Outcome of the Twenty-Third Special Session of the General Assembly (2000).
<http://www.eclac.cl/mujer/noticias/paginas/8/36338/Barbados.pdf>

4. (1) Every employer shall ensure that
 - a) that there is a clear written policy statement against sexual harassment within the workplace for which that employer has responsibility
 - b) that a statement of that policy is presented to each employee on the commencement of employment with the employer, and
 - c) that procedures are put in place to assist every employee in understanding the Policy statement.
 - (2) Within 6 months of commencement of this Act, every employer shall ensure the written Policy Statement against sexual harassment referred to in subsection (1) is prepared and that the statement is presented to each person who is employed by him.
4. Point 14. The State Party acknowledges the concern raised as it relates to sexual violence as torture or crime against humanity, and sexual violence in hospitals and educational institutions and deprivation of liberty. The State Party is cognizant of the above issues, but these are indicators that are not presently being measured.
 5. Point 17. The State Party acknowledges the query relative to systematic training and staff training and reports that: The Government of Barbados entered into an agreement with the Organization of American States (OAS) in August 2015 to implement a Monitoring and Evaluation System (MES) which measures and appraises social service delivery by 2017. This being the case, the Ministry of Social Care, Constituency Empowerment and Community Development commenced training in 2017 among the staff of the Ministry , including the Bureau of Gender Affairs, in preparation for the development of the system and its subsequent implementation. With the introduction of the Monitoring and Evaluation Framework, departments within the Ministry will be better able to measure the results and effectiveness of their programmes. The Monitoring and Evaluation Framework will clearly outline:
 - a) The steps of data collection
 - b) The Programme / Project indicators which will be monitored
 - c) The individuals responsible for collecting information
 - d) The data collection tools
 - e) How data should be captured/ stored and disseminated throughout the organization.
 6. In relation to points 20-22, the state party recognizes the importance of a Nation Plan of Action on Violence against Women. The Bureau of Gender Affairs has therefore started preliminary work on the establishment of a Committee which will be charged with the development of a comprehensive plan of action to tackle the issue. With this objective in mind, representatives from a number of government and non-governmental agencies have attended a meeting to identify some of the issues and challenges in tackling the problem of violence against women. The Committee will be one which is multi-sectoral in nature and a second meeting is due to take place early in January.
 7. Point 23. In respect of the MOU between the Office of the Attorney General and UN Women, some initiatives have already taken place. A Committee has been established to

oversee the implementation of the activities. Further to this the magistrates have benefitted from a Trainers of Trainers Workshop.

8. Point 24. The period November 25 to December 10, which includes the International Day for the Elimination of Violence against Women and embraces the 16 Days of Activism is a period where there is an increase in the level of engagement between Civil Society and the Bureau of Gender Affairs, given that the Bureau is the focal point in the local activities to mark the period. However, the engagement is not limited to the period and the Bureau of Gender Affairs is consistently seeking areas of collaboration with Civil Society wherever the opportunity exists.
9. Point 28. The State Party notes the concern about the protocols for police and health care workers and reports that: The history of the Shelter as far as occupancy is concerned, reveals that clients who have sought refuge and have occupied the Shelter, have been predominantly English speaking persons. Therefore this negates the need for the protocols to be reproduced in other languages. However in the event that the need arises, translation can be provided through the services of the Barbados Community College.
10. Point 29. The Domestic Violence (Protection Orders) (Amendment) Act 2016 speaks exclusively to protection for the victims of domestic violence and hence is not applicable to relatives or witnesses.
11. Point 30. The State Party acknowledges the concern of the use of the Convention in judgments and reports that to date; no studies have been carried out in this regard.
12. Point 31. Relative to the issues of shelters, the one solitary shelter continues to operate.
13. Point 32. The Business and Professional Women's Club continues to operate a 24 hour hotline.
14. The State Party acknowledges the concerns raised in items 34 & 35 and reports that: The Government, through the Bureau of Gender Affairs commissioned the research on the incidence and prevalence of domestic violence in the country which was solely undertaken by the Caribbean Development Research Services Inc (CADRES) in 2009.

The discussion on the findings of the study led to concerns about the effectiveness of the legislation as it stood. This in turn gave rise to the establishment of a committee by the Bureau of Gender Affairs, to review the legislation and to make recommendations for its strengthening. The Committee did make a number of recommendations and those recommendations were passed in 2015, therefore amending the Domestic Violence Protection Orders Act 1992.

The findings also recommended a revisit of the Data Collection Protocol, a form which was developed by the Bureau of Gender Affairs to be used by front line agencies in the area of domestic violence. Due to some concerns raised by the agencies, the Bureau has been unable to make use of the instrument to capture the data. The Bureau has earmarked the review of the form as part of its future work with the objective of having it implemented.

In terms of data collection, the data is available from the Royal Barbados Police Force through the appropriate channels. Since the establishment of the Family Conflict Unit, the relationship between the Bureau and the Unit has indeed been strengthened and the

Bureau has been able to source data quite readily as it relates to cases of domestic violence.

15. Point 37. The State Party regrets the absence of information relative to the budgetary commitments and reports that: The Government of Barbados continues to allocate a sum of \$318,000 annually to the running of the Shelter. Government of Barbados has made an allocation of \$5,000 to address gender based violence and these monies will support some of the work which is expected to be undertaken by the Committee established to develop the National Plan of Action on violence against women.