THE ANTIGUA & BARBUDA CEDAW REPORT

2017 PRELIMINARY RELEASE
INTRODUCTION

The nation of Antigua and Barbuda ratified CEDAW on May 3, 1989 and completed a consolidated report (initial, second, and third periodic reports) in 1995. Antigua and Barbuda signed the Optional Protocol in April 2006 with no reservations. The following is a preliminary release by the Directorate of Gender Affairs of the 4th, 5th, 6th and 7th periodic reports which capture developments over a 20-year period from 1995–2015.
INTERNATIONAL AGREEMENTS

FOR WOMEN'S EMPOWERMENT & EQUALITY
The State Party is committed to implementing the following:

- The CIM Plan of Action
- International Conference on Population and Development (ICPD)
- The Beijing Declaration & Plan for Action
- CEDAW & its Optional Protocol
- The Convention of Belém do Pará
- The UN Declaration on the Elimination of Violence Against Women
- The Universal Declaration of Human Rights
LAWS, 
Policies &
REPORTS
CEDAW Report: Preliminary Release
Full texts are available of the following laws, policies and reports highlighted in blue:

- Revised Domestic Violence Act (2015)


- Trafficking in Persons (Prevention) Act, 2010


- Education Act (2008)

- Childcare & Protection Act (2003)

- OECS Family Law & Domestic Violence Reform Initiative (2001)

- Sexual Offenses Act (1995)

- Antigua and Barbuda Labour Code
Sexual Harassment

There are no specific laws which address sexual harassment. Anecdotal evidence reveals that inappropriate sexual advances still frequently occur in the workplace. Women are more likely to be affected by sexual harassment than their male counterparts. However, the State Party is committed to dealing with this issue and it is a major area of concern that is being addressed by the Directorate of Gender Affairs and other CSOs. Harassment of a non-sexual nature is defined in the 2015 Domestic Violence Act.

Domestic Violence

The Domestic Violence Summary Proceedings 1999 Act was replaced by the Domestic Violence Act of 2015. A significant improvement in this act is the expanded definition of the term, "domestic violence." Its definition expands beyond physical and verbal abuse to include emotional, psychological and economic abuse as well as stalking and cyber harassment.

Unpaid Domestic Work & Social Security

No provision is made in the Social Security Act to recognize women's unpaid domestic work. They are not entitled to social security benefits unless they have been working for at least six months. The CDB Country Gender Assessment recommended that security reform adopt a more gender-responsive framework and establish a National Social Protection Floor consistent with ILO Recommendation No. 202 (2012).
**Trafficking**

In 2010 the State passed the Trafficking in Persons (Prevention Act). According to the Act, the consent of the trafficked person is irrelevant whether that person is an adult or a child. As noted in a publication of the Directorate of Gender Affairs, "Review of Legislation and Policies on Gender-based and Sexual Violence, Antigua and Barbuda" (Huggins, 2015), the Act recognizes that the overwhelming majority of persons who are trafficked are female. Yet, following the terminology of laws in Antigua and Barbuda, "the victim or subject of human trafficking is referred to in the male person" (Huggins, p. 31). Therefore, there will be efforts to ensure gender-sensitive legislative drafting.

**Prostitution**

As noted in the previously cited publication, prostitution is illegal in Antigua and Barbuda. The government is monitoring closely the fact that the majority of women engaged in prostitution are foreign Caribbean nationals.

**Abortion**

In remark 258, the CEDAW committee expressed concern "about the continuing illegality of abortion, which would lead to unsafe abortions." Abortion is still illegal in Antigua and Barbuda. There are no available statistics on abortion. To date, no one has ever been prosecuted for having an abortion or effecting an abortion.
IN DIVORCE CASES, THERE IS STILL A MARKED TENDENCY TO GIVE THE CUSTODY OF CHILDREN TO WOMEN, ALTHOUGH JOINT CUSTODY IS VERY OFTEN GRANTED.

IN ADDITION, UNDER THE MAINTENANCE OF AND ACCESS TO CHILDREN ACT OF 2008, THE COURT NOW recognizes that every parent (including unmarried fathers) is entitled to have access to his or her child once he or she is maintaining that child.

ANOTHER CRUCIAL PROVISION OF THIS ACT pertains to the collection of maintenance fees, a thorny problem for many mothers. The court now allows for an “attachment order” to be placed on the income or pension of a defaulter.
DISCRIMINATION & EQUALITY

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There are no specific laws that define discrimination against women in particular. The Constitution of Antigua and Barbuda is gender neutral in its prohibition of discrimination on the basis of race, place of origin, political opinion, colour, creed and sex.

An exception may be found in the Antigua & Barbuda Labour Code Section E8 (1):

_No woman shall, merely by reason of her sex, be employed under terms of employment less favourable than that enjoyed by male workers employed in the same occupation and by the same employer._
**The Right to Equal Pay**

The concept of equal pay goes far beyond that of equal pay for equal work. Women as a group make less than men because of several socio-economic factors:

- Women predominate in the care economy which is undervalued and significantly less paid.
- Gender stereotypes and cultural norms result in women pursuing employment that pays less than those dominated by men. These stereotypes and norms contribute to the perception that women are less capable than men in managerial roles.

Anecdotally, there are reports of employers in the private sector breaching the aforementioned provision in the Labour Code.
EQUALITY UNDER THE LAW DOES NOT AUTOMATICALLY ELIMINATE THESE DISCRIMINATORY ATTITUDES AND CULTURAL NORMS THAT RENDER WOMEN LESS POWERFUL AND LESS PAID AS A GROUP COMPARED TO THEIR MALE COUNTERPARTS.

DISCRIMINATION AGAINST WOMEN EXISTS LARGELY AS A CULTURAL AND IDEOLOGICAL PROBLEM AS OPPOSED TO A LEGISLATIVE ISSUE. DISCRIMINATORY ATTITUDES AND CULTURAL NORMS INTERNALIZED BY BOTH SEXES RESULT IN A LACK OF GENDER PARITY IN LEADERSHIP AND EQUALITY IN SOCIO-ECONOMIC DEVELOPMENT.
Gender stereotypes are still deeply entrenched in Antigua and Barbuda's culture and are responsible for gender disparities in education and employment. These stereotypes maintain the gender roles which see to the continued over-representation of women in lower-paying and economically precarious positions and under-representation in decision-making and leadership roles.
Girls and boys are still being socialized into assuming specific roles. Gender stereotyping in the distribution of domestic tasks remains a cause for concern. Girls and women still perform the majority of domestic tasks while boys and young men are allowed to stay out of the house for longer periods and with less supervision. Female members of the household shoulder most of the responsibility for child care. The traditional breadwinner model is still subscribed to as men are more likely to be considered the head of the household.

There are no barriers preventing girls from studying technical subjects such as electronics and woodworking, but cultural norms still, to some extend, determine the choices that students make regarding what subjects to study. Women are entering higher institutions of learning in greater numbers than men. The CDB Country Gender Assessment noted the following:

...efforts have been made in Antigua and Barbuda for curricula to support the changing nature of gender labour roles, and further, to enable access for females to pursue courses in male-dominated fields and vice versa. (3)
Although women and girls are performing better academically than their male counterparts they are still over-represented in lower paying and economically precarious employment. Outside the home, there are still certain kinds of work that are considered "men's work" or "women's work." However, women are not forbidden by law or restricted from doing certain kinds of work.

As in the past, women continue to dominate the teaching profession. Gender stereotypes of what are considered to be male professions and female professions are still strongly evident at the Antigua State College. For example, men still continue to outnumber women in the engineering department. Nursing and construction work are still considered women's work and men's work respectively.

In focus group discussions, women in the labour market have cited cases where employees warn them not to get pregnant on the job. To date, these cases are anecdotal as none have come before the courts. Based on cultural norms and practices, there is a tendency for men to be promoted up the ranks of their profession more quickly than women in the same profession.
THE ADVANCEMENT OF WOMEN SELECTED PROGRAMMES

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THE DIRECTORATE OF GENDER AFFAIRS SPEARHEADED THE FOLLOWING PROGRAMMES IN COLLABORATION WITH OTHER AGENCIES AND ORGANIZATIONS:

**UN TRUST FUND PROJECT (2015)**

The UN Trust Fund financed a project on behalf of DoCA to eliminate violence against women. A number of workshops and town hall meetings were held to raise awareness and educational print, audio and video materials were created on gender-based violence and gender equality. The fund also financed the creation of a National Gender-Based Violence Database.

**THE SEXUAL ASSAULT REFERRAL PROGRAMME (2010)**

In 2010, a Sexual Assault Referral Programme was established at DoCA to ensure that victims of sexual violence receive adequate care and services. This programme will be incorporated into the crisis centre, now named the Support & Referral Centre (SARC).

**SUPPORT & REFERRAL CENTRE (SARC)**

DoCA has operated an informal 24-hour Crisis Centre service on and off for a number of years in no permanent place. Recently, the United Nations Fund has supported the government through a grant for the establishment of a fully resourced centre. This Centre will incorporate the Sexual Assault Referral Programme.
Progress Report: The Support & Referral Centre (SARC) under construction
WOMEN IN POLITICAL AND PUBLIC LIFE

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**Political Life**

4/34 female candidates ran for membership to parliament in 2004. Currently 11.7% of the 17 MPs are women. Women are more likely to campaign for male candidates than run for office themselves.

**Public Life**

The representation of women in the upper echelons of the Civil Services has improved steadily. 48% of Division Heads in this sector are women.

**Highlight**

The Antigua Commercial Bank has achieved 50% gender equality for its board of directors. However, as of 2015, women constituted 74.4% of the total number of employees.
**KEY STATISTICS**

- **Population (Estimated Residents):** 85K
  - Women: 44K
  - Men: 41K

- **Maternal Mortality Rate per 10K Births (2014):** 0.00

- **Access to Drinking Water by Population:** 91.4%

- **Cases of Domestic Violence at the Directorate of Gender Affairs (2014):** 201


- Women: 50.2%
- Men: 49.8%

### Zero Mother-Child HIV/AIDS Transmissions (From 2012)
CSOs

- Professional Organization of Women (POWA)
- Health, Hope & HIV Network
- Women Against Rape (WAR)
- CIWIL
- Together We Must
- Women of Esteem
- Walking Into Walls
- Intersect
The Antigua & Barbuda CEDAW Report was written by Dr. Ermina Osoba and edited by The Acting Executive Director of the Directorate of Gender Affairs, Ms. Farmala Jacobs, and Research Officer, Ms. Sarah-Anne Gresham. The report was completed with the assistance of several government and non-governmental organizations and gender advocates. This preliminary release was prepared by Ms. Sarah-Anne Gresham & reviewed by Ms. Farmala Jacobs. The Directorate of Gender Affairs is a department under the Ministry of Social Transformation & Human Resource Development. This ministry is headed by the Honourable Samantha Marshall.

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GENDERAFFAIRS.GOV.AG