

National Plan of Action  
For  
**GENDER-BASED VIOLENCE**  
In Belize



2007-2009

## NATIONAL PLAN OF ACTION 2007 – 2009

### FOR THE ELIMINATION OF GENDER-BASED VIOLENCE IN BELIZE

#### MISSION:

*“The National Gender-Based Violence Committee is committed to ensuring an integrated, multi-faceted response to all forms of gender-based violence in Belize by addressing law enforcement, health, judicial education, housing and community advocacy. This multi-sectoral response gives specific attention to protection, provision of services, justice and prevention.”*

**Ministry of Human Development  
2007**

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## FOREWORD

The National Gender-Based Violence Committee is pleased to present this National Plan of Action for 2007 – 2009. This plan represents the contributions of twenty-one stakeholders representing key organizations such as the Women’s Department, Human Services Department, Community Rehabilitation Department, Family Court, National Committee for Families and Children, Youth Enhancement Services, Young Women’s Christian Association, Youth for the Future, Police Family Violence Unit, Haven House, Mental Health Association, National Women’s Commission, Belize Family Life Association, the Women’s Issues Network and UN agencies.

This plan is a contribution to the realization of the mission and goals of the Gender-Based Violence Committee. It makes reference to international commitments made by the government combined with other regional and international instruments, which are being used to mount a national vigorous effort to halt gender-based violence in all its forms in Belize. It is designed to also serve as a basis for advocacy work, and as a tool to assist policy and decision makers to contribute to the achievement of the national and international goals.

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## INTRODUCTION

Belize is signatory to a number of international commitments in regards to the elimination of gender-based violence. This plan has been developed with these commitments in mind. The aim is to ensure that over the next five years Belize moves towards the goals and objectives of the leading documents in these areas, namely the Millennium Development Goals, the Convention on the Elimination of all forms of Discrimination Against Women, the Beijing Platform for Action, the Outcomes Document, the Commonwealth Plan of Action and the CARICOM Regional Plan of Action.

It is a tool whose aim is to outline the problem of gender-based violence, elaborate its linkages to poverty, reproductive health, HIV/AIDS and discuss its impact on the nation's development by complementing the policies addressed in key National documents such as; The National Plan of Action for Children and Adolescents in Belize 2004-2015, Belize's National Gender Policy 2002, the Sexual and Reproductive Health Policy and the National HIV/AIDS Strategic Plan and Policy.

It is widely acknowledged that in order to effectively tackle gender-based violence in Belize a coordinated and cross-sectional integrated approach is required to address the cultural, social and economic obstacles to achieving lives free from violence.

This National Plan for 2007-2009 looks to create a fully comprehensive strategy, encompassing law enforcement, health, justice administration, housing, community advocacy and education. The discussion on the issue of gender-based violence is one of development priority.

## Why is Eradicating Gender-Based Violence Important?

Gender-based violence involves men and women with women usually, but not always, being the victim. It stems from unequal power relationships within families, communities and states. Violence is generally directed specifically against women for diverse reasons, and affects them disproportionately. Gender-based violence continues to be an escalating problem in Belize.

The UN Declaration on the Elimination of Violence against Women, adopted by the General Assembly on 20 December 1993 defines violence against women as; ***“any act of gender-based violence that results in, or is likely to result in sexual or mental harm or suffering to women, including threats and such acts as coercion or arbitrary deprivations of liberty, whether occurring in private and public life”***.

Article 2 of the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW) elaborates that violence against women includes sexual, physical, and psychological violence in the:

- 1. Family** - such as battering, sexual abuse of children, cutting and rape;
- 2. Community** - such as sexual abuse, sexual harassment and intimidation, trafficking and forced prostitution; and
- 3. State** - such as poorly drafted or unenforceable laws for violence against women, law enforcement agents who violate women, the lack of facilities and education for prevention and treatment of women exposed to violence, the sanctioning and reinforcement of unequal gender relations. The state's indifference and neglect in creating opportunities and entitlements for women in

regard to employment, education, participation and access to social services also perpetuates gender-based violence.

## THE NATIONAL COMMITMENTS

This National Plan is intended to ensure that Belize's National Commitments to combating gender-based violence are being met. These include: The National Plan of Action for Children and Adolescents in Belize 2004-2015, Belize's National Gender Policy 2002, the Sexual and Reproductive Health Policy and the National HIV/AIDS Policy and Strategic Plan. Below are the sections which have been used for the basis of this plan to address gender-based violence.

The following are excerpts from key National Commitments which are relevant to the work of combating Gender-Based Violence in Belize:


### **The National Plan of Action for Children and Adolescents in Belize 2004-2015**

This National Plan of Action for Children and Adolescents is the result of efforts of the bi-partisan Working Group to develop a comprehensive plan which prioritizes actions on behalf of children, in the areas of education, health, child protection, HIV/AIDS, family and culture, over the next 11 years.

#### **The Work Plan: Education**

##### ***Target: 5***




##### ***Gender Equity and Equality***

-  *To eliminate gender disparities and achieve gender equity at the primary and secondary schools levels.*










## **The Work Plan: Child Protection**

### **Target: 1**

#### **Abandonment and Abuse**

-  *To reduce the incidence of family violence by 25 per cent.*
-  *To reduce the incidence of child abuse in all its forms by 25 per cent.*
-  *To ensure that a minimum of 90 per cent of children in government custody receive care in a non-institutional setting.*

#### **Strategies and Action**

-  Strengthen preventive measures and actions at all levels of the educational system to identify, at an early stage, situations that could lead to abuse and exploitation.
-  Amend relevant legislation to make them more effective in addressing family violence and child abuse issues.
-  Develop and implement child protection protocol for all agencies involved in care of children.
-  Standardize and implement procedures for family courts countrywide.
-  Conduct a comprehensive review of all legislation to standardize the age definition of a child and eliminate all gender disparities.
-  Develop and implement a program aimed at tracking perpetrators of child abuse.
-  Develop and implement public awareness and education programs on family violence and child abuse.
-  Explore the possibility of establishing the office of Ombudsperson for children.
-  Strengthen programs aimed at providing non-institutional care for children who are, or need to be, separated from their families.

## **The Work Plan: HIV/AIDS**

### **Target: 2**

#### **Care and Treatment**

- ✚ *To increase the accessibility and affordability of care and treatment to children, adolescents, pregnant women and parents who are HIV positive to 90 per cent.*

#### **Strategies and Action**

- ✚ Establish Voluntary Counselling and Testing Centres (VCT) to provide comprehensive services in each district and other strategic locations.
- ✚ Strengthen policies to reduce the cost of anti-retroviral and opportunistic infection treatments available to people living with HIV/AIDS.
- ✚ Implement HIV/AIDS protocol developed for health care providers.
- ✚ Provide relevant and comprehensive training to build the implementation capacity of health care providers, social workers, and counsellors.

### **Target: 3**

#### **Prevention for Children and Adolescents**

- ✚ *To reduce the prevalence of HIV infections among children 0 to 12 years by 80 per cent.*
- ✚ *To reduce the prevalence of HIV infections among adolescents 13 to 17 by 60 per cent.*

#### **Strategies and Action**

- ✚ Ensure the strengthening of intervention programs aimed at children who are vulnerable to contracting HIV/AIDS, especially targeting survivors of child sexual abuse, children living in poverty, and children with special needs.

- ✚ Strengthen existing resource centres to provide information on HIV/AIDS, STIs, and life skills to both in and out-of-school adolescents.
- ✚ Develop and implement a media strategy utilizing creative art forms to promote the message of HIV/AIDS prevention targeted at children and adolescents, ensuring a focus on gender issues.

## **The Work Plan: The Family**

### **Target: 1**

#### ***The Family as a Basic Unit of Society***

- ✚ *To increase the coverage of family support programs by 50%.*

#### **Strategies and Action**

- ✚ Strengthen and expand the Community and Parent Empowerment Program and other relevant agencies to provide permanent and ongoing training in family and parenting issues.
- ✚ Develop mechanisms to provide quality counselling services nationwide.
- ✚ Establish a Family Court in each district.
- ✚ Strengthen the institutional capacity of family courts to enforce the collection and monitoring of maintenance payments both locally and from abroad.

## National Gender Policy of Belize 2002

The production of this National Gender Policy represents the culmination not only of a progressive body of work in Belize over the past decade and more, but also of a global evolution in *the conceptualization* of gender relations and its central place in the pursuit of human rights and human development. It refers to developments in Belize, alongside the transition in global understanding which has led to current initiatives in gender mainstreaming in the following priority areas:

### **4.1 Health**

#### **Female vulnerability to HIV/AIDS**

The male: female HIV ratio was 1:9 in 1996, 1:6 in 1998 and 1:2 in 2000. For 2001, it was approximately 1:1 (females being more than 40% of all new cases). It is likely that, by 2002, women are contracting HIV at a faster rate than men. Indications are that this is due to HIV-positive men continuing to have unprotected sex with multiple female partners.

1. The recent criminalisation of the knowing and wilful transmission of HIV will be forcefully applied and breaches prosecuted (the sooner a successful prosecution occurs, the sooner a strong message will be sent to the target population).
2. Current efforts to empower women in negotiating safe sex will be maintained, and promoted as a primary right of women to protect themselves.

### **4.3 Violence-Producing Conditions**

Despite a range of efforts over the past decade to address violence and abuse, the prevalence of such conditions persists. The adoption of the *Domestic Violence Act* and the *Protection Against Sexual Harassment Act*, reforms to the legislative provisions for sexual violence against women and girls, the establishment of Family Violence Units within Police districts, the introduction by the Women's Department of training of professionals and public education about rights and services, and the adoption of more systematic reporting and enforcement arrangements, have done as much to reveal the extent of such problems as to contain them.

Reported domestic violence cases average around 40 per month. More than 80% of reports are from urban areas, and more than 90% of reports are of violence against women. It is likely that many – if not most – cases of domestic violence continue to go unreported. Approximately 40-50% of cases involve common-law unions, and 20-35% of cases involve married couples. The perpetrators and the victims are typically aged 20-39 years. Alcohol or other drug abuse features in the majority of cases, along with extramarital relationships and poor capacity to cope with financial stress.

With the introduction of mandatory reporting of abuse of children – including sexual abuse – there has been almost a trebling of referrals, with a six-fold increase in referrals for sexual abuse of children.

This section primarily considers domestic violence, and sexual abuse and assault (especially of children). It also addresses the abandonment of children by virtue of parental use of ‘uncontrollable behaviour’ by children (as a severe and prevalent form of psychological abuse and neglect), and commercial sex work to the extent that participation in that industry is involuntary or exploitative. Some issues relevant to this section are covered elsewhere in this chapter, notably corporal punishment and reports of girls submitting (‘consenting’) to sexual abuse in exchange for financial assistance in continuing with their schooling.

### **Domestic violence framework**

Belize now has a strong legislative, enforcement and monitoring framework for responding to and tackling domestic violence. The legislation is viewed as strong and appropriate, and is gender neutral in its wording and intent. Even so, there continues to be a need to promote awareness of rights and of the importance of reporting occurrences of domestic violence to the authorities.

3. There shall be stronger efforts in promoting community awareness of domestic violence provisions, rights and services within rural areas of Belize.
4. The procedures for receiving, handling and pursuing complaints will be evaluated in order to identify measures to strengthen such practice, including an assessment of the adequacy of existing services and of access to those services.

### **Domestic violence and child abuse registration system**

The implementation and monitoring of domestic violence and child abuse measures has been strengthened with the development and adoption of a uniform reporting

and data collection system. This requires optimal compliance by professionals and referring agencies in order to ensure a comprehensive national approach. This is not presently the case.

5. Measures will be adopted to ensure comprehensive participation in the domestic violence and child abuse registration system.
6. Efforts to train personnel in the registration system will be continued, and there will be a review of the adequacy of the data collection process in providing the necessary information.
7. The improved database afforded by more comprehensive reporting compliance will be evaluated to identify characteristics concerning violence and abuse to inform the development of preventative strategies, to improve the targeting of public education and community awareness efforts, and to review the adequacy of legislative provisions.

### **Sexual abuse provisions**

The legislation has been strengthened with respect to mandatory reporting (concerning children), penalty provisions, applicable ages (for girls), the relevance of evidence (concerning the defence examination of rape victims), and the scope of rape (extending to within marriage). In a number of instances, the legislation continues to presume that perpetrators are male and that victims are female, when such presumptions may conceal instances of such abuse, and when the removal of such gender assumptions would not diminish the value of the legislation.

8. Child sexual abuse laws shall extend coverage to afford protection of boys.
9. Sexual abuse laws will be reviewed in order to remove inappropriate or unnecessary assumptions about the sex of the perpetrator.
10. The adequacy of existing regulations requiring child abuse matters to be investigated in instances where the parent seeks to withdraw such a complaint shall be examined.
11. Measures will be adopted to make parents more aware of the consequences and effects of child abuse, in view of the persistent widespread acceptance of such treatment of children.
12. Provisions will be adopted and enforced which classify so-called 'date rape' drugs (such as rohipnol) as prescription drugs, and the non-prescribed use of such drugs shall be made an offence.

### **Access to justice**

One aspect of violence and abuse matters that needs to be addressed in order to better guarantee the rights of victims is that of their access to justice: affordable, appropriate and timely. Women and children are particularly vulnerable to the effective denial of adequate advice and representation. This includes concerns about delays in hearing sexual abuse and rape cases. Besides the compounding of distress for the victim, there are reports of the death or progressive memory loss of older women rape victims and consequential acquittal of the alleged perpetrator.

13. Measures will be examined to enable more timely prosecution of sexual abuse and rape cases, especially where the victim is an older person.
14. The adequacy of current access to legal assistance by victims of violence and abuse will be ascertained, in order that measures may be taken to strengthen such assistance, and to ensure that no incident of violence or abuse goes unprosecuted for that reason.
15. GOB will examine the merit of introducing a national legal insurance scheme, funded from a tax levy similar to that for health insurance, to ensure means-tested access to legal representation.
16. Child victims of abuse or violence shall be visually screened from the alleged perpetrator when called upon to give evidence in court proceedings on that offence.
17. Measures will be examined to enable child victims of abuse or violence to give evidence in such proceedings separate from the formal court hearing.

### **Victims and survivors of abuse**

For the victims of domestic violence or abuse – and especially sexual abuse – there will normally be longer-term issues in successfully surviving and moving on from that act of violence. This means that the prosecution of an offence may be but one small starting point in surviving that traumatising experience. This will especially be so where the perpetrator and victim are connected by family or personal relations, including marriage. In many instances, the victim – and perpetrator – will desire to try to resolve such behavioural problems in order to maintain the family unit.

The role of shelters must also be acknowledged in providing crucial temporary refuge for, and preliminary rehabilitation of, the victim, including of children in violent domestic settings. The shelter in Belize City is normally at capacity for women

victims of domestic violence and their children, as is the home in Belmopan where child victims of abuse are accommodated. Nevertheless, in too many instances, it is the victim – rather than the alleged perpetrator – who is removed from, or leaves, the home for alternative accommodation, and this not only places a greater burden on the provision of such services, but is also considered to be inequitable.

18. The Women's Department will prepare advice for GOB on the nature of post-abuse counselling and monitoring services and family rehabilitation services required to more effectively assist the victims and survivors of abuse and suitable retention of the family unit.
19. The level of unmet demand for shelter accommodation for victims of abuse and violence shall be ascertained, with attention to the necessary level of capacity and location, and associated resource requirements.
20. As far as is possible in the circumstances, the authorities shall endeavour to ensure that it is the alleged perpetrator – and not the victim (whether adult or child) – who is removed from the normal place of residence.

### **Perpetrators of abuse**

Normally, the act of violence conceals a more entrenched issue for the perpetrator and often – in cases of domestic violence – for the couple. Efforts to deal with the actual instance of violence need to take account of larger personal and/or interpersonal factors, especially in minimising the prospects for a repeat of the offence. As essential as prosecution is of such abuse, it is at least as essential to address the perpetrator's rehabilitation. The minimisation of recidivism in this regard must be a high priority – not just an important intervention for the victim's capacity to function appropriately within the community, but also as an investment on behalf of other family members and the improved safety of the community. This becomes a higher priority alongside steps taken to strengthen the penalty provisions for such offenders. At the same time, approximately a half of all cases of domestic violence are withdrawn by the victim prior to prosecution. These instances need scrutiny and response where deemed appropriate, despite difficulties in pursuing such matters where the victim declines to assist or cooperate. Similar provisions have been instituted for child abuse and neglect matters.

21. All instances of the (alleged) victim's withdrawal of a charge of domestic violence will be investigated by the Police Family Violence Unit, in collaboration with the Women's Department.
22. There will be appropriate intervention, including counselling and measures to promote awareness of actions and genuine remorse, for

(alleged) perpetrators of abuse, in instances where the victim seeks to withdraw charges.

23. Those found guilty of a charge of violence or abuse (including sexual abuse) will be required to undertake education and counselling – within and outside of prison – concerning the nature of their behaviour and assistance in behaviour modification.
24. To allow for the successful rehabilitative intervention with sentenced perpetrators, the merit of some flexibility in parole provisions will be examined.
25. As one medium for the promotion of a ‘culture’ of violence, GOB should aim to liaise with other English-speaking Caribbean states to curb the incursion into Belizean households of unacceptable or undesirable cable TV programming from North America, and to develop more culturally relevant regional TV programming.

### **Sexual harassment**

Belize adopted sexual harassment legislation in 1996 in recognition of the prevalence of such unwanted behaviour in workplaces, institutions (including schools) and in accommodation. However, it is understood that the legislative provisions have never been utilised, even though such practice remains widespread.

26. The adequacy, operation and public awareness of the *Protection Against Sexual Harassment Act* will be reviewed, with a view to developing appropriate measures, in either amending the legislation, professional development to ensure enforcement, or strengthening public awareness of its provisions.
27. The Ministry of Labour – in collaboration with the Women’s Department – will develop and promote awareness of sexual harassment provisions and of complaints mechanisms, which shall be assured of being free of any adverse consequences.
28. The Ministries of Labour and Education – in collaboration with the Women’s Department – will prepare model workplace sexual harassment policy and internal complaints-handling procedures, and actively promote them within local worksites, including the private sector and denominational school management authorities.
29. GOB will examine the merit of introducing regulations to provide for the mandatory reporting of sexual harassment.

## **Child abandonment and neglect**

There are too many instances whereby parents resort to the use of current provisions for 'uncontrollable behaviour' to effectively abandon their child to institutional care. Almost a half of all committed and remanded young people are cases of 'uncontrollable behaviour'. In many cases, this conceals poor parenting skills or a parent's new relationship (making the presence of the child 'inconvenient') or a parent's alcohol or drug abuse.

The effect is a serious form of neglect, and frequently a particular form of (usually psychological) abuse of the child, with very long-term consequences. The duration of institutionalisation – often extending until the child turns 18 years – can exceed the length of institutionalisation of an adult guilty of a serious offence. Of course, the child's institutionalisation aims to be constructive, but this is not necessarily the case; as an example, there is evidence that many beneficiaries of protective care in the former Listowel Boys' Home simply graduated to the prison and to repeat offending.

Resort to 'uncontrollable behaviour' also discriminates against girls. Of females committed or remanded in 1999, 67% and 76% respectively were for 'uncontrollable behaviour', whilst the corresponding rates for boys were 29% and 23% (although the actual number of boys exceeded that of girls). These young people share facilities with young people remanded or committed for serious offences, including murder and sex offences.

30. Institutionalisation solely for the 'offence' of 'uncontrollable behaviour' will be abolished.
31. For alleged instances of 'uncontrollable behaviour', a pre-condition for any intervention shall be mandated parental participation in parent effectiveness training.
32. Counselling and psychological support services will be made available to all children whose parent secures public intervention on the grounds of the child being 'uncontrollable'.
33. In any instances where a child is placed in institutional care for 'uncontrollable behaviour', cost-recovery provisions (already contained within legislation) from the parent will be applied on a case-by-case basis, as well as the reassignment of any court-ordered child maintenance payments to offset the institutional care of the child.

34. Government approval of institutionalisation for 'uncontrollable behaviour' must ensure no possibility of a parent abandoning the child, to ensure no abetment in that form of child neglect.
35. Government will adopt a policy and guidelines for handling reports of 'uncontrollable behaviour', and promulgate these with training workshops for relevant officers within the judicial system and the Department of Human Services.

### **Commercial sex work**

The terms 'prostitute' and 'prostitution' are used in legislation, which construct the notion of the (lack of) morality of the worker (in 'prostituting' her self), without any reference to the client who creates the demand. In practice, despite the provision of laws concerning the client, enforcement continues to be one-sided in focussing on the worker. The terms 'commercial sex worker' and 'commercial sex work' are preferred, as they are clearer about the nature of the activity, in which the worker and client make a commercial agreement about sexual contact, thus including the client into the equation.

Commercial sex work is a gender issue which is of particular concern whilst workers are likely to bear the brunt of law enforcement, to continue to be engaged in the industry involuntarily, to be under forms of coercion or exploitation (e.g. where the worker is not in control of their own labour, not free to leave when they choose, derive a meagre share of their earnings), and to be obliged against their wishes to expose themselves to violent, degrading or risky behaviour.

It is also a particular concern with respect to the prevalence of male control of female workers, of the criminal exploitation of under-age females, and of the lack of legislative attention to males within the industry.

Accurate data is difficult to derive, however, a UNICEF survey revealed the sizeable numbers of under-age females in the industry, the frequency with which women workers are being trafficked into Belize (often believing they are to get domestic or waitressing work), and the extent of workers being required to work very long hours per day and most days per week.

It also concluded that there is widespread indifference by local police to the operations of the industry, in particular the plight of women workers within it. This is

reportedly linked to the local use made by police officers and associated law enforcement officials of sex workers, including the frequency with which they demand sex from bar-workers.

By and large, male-to-male commercial sex work operates very differently, usually comprising individual workers operating outside of established premises. Again, a significant proportion of the male industry is understood to be under-age, and they are predominantly focussed in foreign tourist destinations. Male workers are less likely to be exploited by male operators and traffickers, but are often more vulnerable to violence from and exploitation by clients.

A legislative focus on criminalising the worker not only has the effect of victimising women and ignoring men, but also makes effective regulation of the industry impossible. Of primary importance is the need to eliminate coercion and exploitation, prohibit the involvement of under-age workers (predominantly girls), and implement public health standards.

The Ministry of Health has developed a National Screening Program for Commercial Sex Workers, primarily aimed to prevent and control STI and HIV transmission within that population. The emphasis on voluntary cooperation between health authorities and sex workers follows experience in Guatemala and Mexico where such an approach has kept infection rates amongst workers at below 1%. The Ministry of Health's work to-date indicates the high level of cooperation to be expected from both workers and the owners/operators of facilities where they are engaged.

36. Legislation will be reviewed with a view to replace 'prostitution' and 'prostitute' with 'commercial sex work' and 'commercial sex worker' respectively.
37. GOB will more rigorously enforce provisions for trafficking in, employing or soliciting under-age workers (viz. with a legal minimum age of 18 years).
38. GOB will adopt and implement the National Screening Program for Commercial Sex Workers.
39. The provisions of the *Criminal Code Act* will be reviewed alongside other legislation to formulate amendments to treat male and female commercial sex workers and clients equally.

## **Sexual and Reproductive Health Policy 2002**

**Sexual and Reproductive rights for men, women and adolescents are closely linked to the situation of Gender-Based Violence in Belize. They are outlined as follows:**

### **Specific Commitments**

2. Secure and incorporate into national legislation the right to the enjoyment of the highest attainable standard of social, physical and mental health throughout the life span, including the area of sexual and reproductive health, on the basis of equality between men and women, and boys and girls.
3. Reform laws and strengthen institutions to enable men and women, on the basis of equality, to take responsibility for and exercise their sexual and reproductive rights, including in the area of sexual and reproductive health, and eliminate coercive or discriminatory laws and practices, including those related to HIV/AIDS and STIs.
4. Ensure responsible, informed, free contraceptive choice and consent by providing complete and accurate information on a full range of methods and medical options, including the potential benefits and side-effects, that enables individuals and couples to make voluntary informed decisions on matters related to sexual and reproductive health, (family planning, prevention of mother to child transmission of HIV/AIDS and STIs).
5. Ensure universal access to comprehensive sexual and reproductive health information and service/methods appropriate for women, men and adolescents.
8. Ensure that all health services and providers conform to human rights, ethical, professional and gender-sensitive standards in the delivery of health services, including family planning, STIs, HIV/AIDS and other related reproductive health services.
12. Strict enforcement of laws concerning the minimum legal age of consent and minimum age of marriage.
13. Promote responsibility and equal partnerships between men and women, for the equal sharing of rights and responsibilities in all areas of public and private life, including family life and sexual and reproductive behaviour, through laws, policy reforms and changes in socio-cultural patterns.

15. Establish the necessary conditions and procedures to encourage victims of violence to report violations of their rights and provide them with full and equal access to the mechanisms of protection and justice, and to just and effective remedies, including through the provision of low-cost or free legal assistance for those living in poverty.
16. Ensure that the human rights of women, including their sexual and reproductive rights, are fully respected and protected, and enable women to realize these rights.
21. Amend, enact and strictly enforce legislation and take preventive measures to protect children, women, youth and elderly from all forms of violence and sexual abuse, including rape.
22. Develop age-appropriate, safe and confidential programs for medical, social, psychological, rehabilitation and support to assist girls and boys who are subjected to violence and sexual abuse including rape.

## **Sexual and Reproductive Health Care**

### **Specific Commitments**

4. Develop goals and time frames for improving women's health and for planning, implementing, monitoring and evaluating programs.
8. Reduce maternal mortality and morbidity by strengthening integrated safe motherhood programs, increasing investment in human resources, infrastructure and transportation.
13. Provide information, counselling and care in the prevention of sexually transmitted infections, including HIV/AIDS and its implications with emphasis on mother to child HIV transmissions.
14. Provide family planning services and promotion of longer intervals between births.
17. Provide rehabilitation and support programs for victims of family violence and sexual abuse, including confidential counselling and mental health care.

### **Adolescents: Specific Commitments**

3. Develop integrated service, information and educational programs for adolescents that address belonging relationships, fulfilling adolescent growth and development, adolescent sexual and reproductive health issues, including unwanted pregnancy, unsafe abortion, sexually transmitted infections and HIV/AIDS.
7. Involve and train all who are in a position to provide counselling and guidance to adolescents concerning sexuality.
9. Provide counselling on gender relations, violence and sexual abuse, sexual reproductive health and responsible behaviour, and sexuality education for the prevention of STIS and HIV/AIDS during adolescence.
10. Provide confidential, social and mental health services for adolescents who have experienced any form of gender-based violence and for the prevention and treatment of sexual abuse and incest.

### **Public information and education**

1. Raise awareness of and encourage the important role of the media in educating people about the causes and effects of gender-based violence, in eliminating degrading and violent portrayals, and in stimulating public debate about the topic.
2. Involve entertainment and mass media more effectively in mobilizing public awareness on gender sensitivity and sexual and reproductive health and rights issues.
3. Launch public education campaigns in support of sexual and reproductive health with emphasis on safe motherhood, antenatal care, safe delivery, caring of newborn and family planning, male responsibility, responsible sexual behaviour, prevention of child abuse, gender-based violence, sexually transmitted infections, teenage pregnancy, and early prevention, treatment of breast, cervical, prostate and other cancers of the reproductive system.
4. Provide information centres on sexual and reproductive health issues for adults, parents and adolescents.
9. Support efforts to increase women's awareness of their rights, including the areas of sexuality and reproduction, and strengthen women's groups and their efforts to launch national campaigns on these issues.

10. Introduce education about population issues, health and nutrition information, including sexual and reproductive health, family planning, STIs, and HIV/AIDS prevention, and gender equality and equity in primary schools and through all levels of formal and non-formal education.

## **National HIV/AIDS Policy and Strategic Plan**

The National Policy on HIV/AIDS 2005 provides a framework, based on human rights for the prevention of HIV and the reduction of its impacts at all levels of society.

Specific Objectives and Strategies related to the National Gender Policy:

### **PREVENTION OF TRANSMISSION**

- Incorporate HIV/AIDS/STI related age appropriate information into curricular and extracurricular programs targeting children and youth.
- Develop and implement HIV/AIDS/STI related information and education targeting out-of –school youth and young adults
- Develop and implement HIV/AIDS/STI information and education programs that are strategically targeted at adults. These shall promote multiple methods of prevention including abstinence, fidelity, safer sex practices and the correct and consistent use of condoms.
- Develop and implement HIV/AIDS/STI information and education programs that are strategically targeted at high risk and highly vulnerable groups including women and their partners.
- Develop and implement HIV/AIDS/STI information and education programs at are targeted at pregnant women and families planning a pregnancy so that she/they can make informed decisions regarding the protection of herself/themselves and the child.
- Encourage pre-marital counseling programs to incorporate HIV/AIDS/STI and related information and education sessions for clients.

### **VOLUNTARY HIV COUNSELING AND TESTING**

- Develop and monitor adherence to national protocols and quality control standards for HIV testing. All HIV testing shall be voluntary and accompanied by written informed consent and pre and post counseling.
- In the case of hospitalization and ambulatory patients who are in semiconscious states or who are mentally impaired and require an HIV test

for diagnostic purposes or clinical treatment, counseling shall involve a next of kin.

- Develop a system to ensure that clients' results and personal health information remain confidential.
- Establish a mechanism, to record, investigate, recommend and enforce disciplinary measures for all relevant professionals who breach the stipulations outlined in the code of ethics.
- Monitor approved research involving clinical trials of HIV tests and HIV-related goods. In such cases, individuals must be informed and provide consent for participation in the research program.

### **Treatment, Care and Support for PLWHA's and Other Vulnerable Populations**

- Treatment and care and support of PLWHA's and other vulnerable populations is an integral part of both HIV prevention and mitigation strategies, but remains one of the areas of intervention which requires the most strengthening and "scaling up".
- Treatment, care and support services are recognized to have a significant positive impact on the empowerment of PLWHA's, their families and other vulnerable populations. These services have also proven, in other countries, to have reduced morbidity and mortality rates, therefore mitigating significant socio-economic impacts at the family, community and national levels.
- Established standards for quality control and monitoring of care and support services will allow for the maximization of benefits to be derived for all interventions.

## INTERNATIONAL COMMITMENTS

The various International Commitments directly or indirectly related to Gender-Based Violence are set out below.

### The UN Millennium Development Goals

Since their adoption in 2000, the Millennium Development Goals (MDGs) have served as an important instrument for orienting development policy in the Caribbean region and the World towards the achievement of a number of specific goals and targets. The broad areas of the MDGs and their specific goals are listed below.

#### **Goal 1: Eradicate extreme poverty and hunger**

- i. Halve, between 1990 and 2015, the proportion of people whose income is less than \$1 a day, proportion of population below \$1 a day
- ii. Poverty gap ratio (*incidence x depth of poverty*)
- iii. Share of poorest quintile in national consumption
- iv. Halve, between 1990 and 2015, the proportion of people who suffer from hunger , Prevalence of underweight in children (under five years of age)
- v. Proportion of population below minimum level of dietary energy consumption

#### **Goal 2: Achieve universal primary education**

- i. Ensure that, by 2015, children everywhere, boys and girls alike, will be able to complete a full course of primary schooling, Net enrollment ratio in primary education
- ii. Proportion of pupils starting grade 1 who reach grade 5
- iii. Literacy rate of 15 to 24-year-olds

**Goal 3: Promote gender equality and empower women**

- i. Eliminate gender disparity in primary and secondary education preferably by 2005 and in all levels of education no later than 2015, Ratio of girls to boys in primary, secondary, and tertiary education
- ii. Ratio of literate females to males among 15- to 24-year-olds
- iii. Share of women in wage employment in the non-agricultural sector
- iv. Proportion of seats held by women in national parliament.

**Goal 4: Reduce child mortality**

- i. Reduce by two-thirds, between 1990 and 2015, the under-five mortality rate, Under-five mortality rate
- ii. Infant mortality rate
- iii. Proportion of one-year-old children immunized against measles.

**Goal 5: Improve maternal health**

- i. Reduce by three-quarters, between 1990 and 2015, the maternal mortality ratio, Maternal mortality ratio
- ii. Proportion of births attended by skilled health personnel.

**Goal 6: Combat HIV/AIDS, malaria, and other diseases**

- i. Have halted by 2015 and begun to reverse the spread of HIV/AIDS , HIV prevalence among 15- to 24-year-old pregnant women
- ii. Contraceptive prevalence rate
- iii. Number of children orphaned by HIV/AIDS
- iv. Have halted by 2015 and begun to reverse the incidence of malaria and other major diseases, Prevalence and death rates associated with malaria
- v. Proportion of population in malaria-risk areas using effective malaria
- vi. Prevention and treatment measures
- vii. Prevalence and death rates associated with tuberculosis

viii. Proportion of TB cases detected and cured under DOTS.

**Goal 7: Ensure Environmental Sustainability**

- i. Integrate the principles of sustainable development into country policies and program and reverse the loss of environmental resources, Change in land area covered by forest
  
- ii. Land area protected to maintain biological diversity
  
- iii. GDP per unit of energy use
  
- iv. Carbon dioxide emissions (per capita)
  
- v. Halve, by 2015, the proportion of people without sustainable access to safe drinking water, Proportion of population with sustainable access to an improved water source
  
- vi. Have achieved, by 2020, a significant improvement in the lives of at least 100 million slum dwellers, Proportion of population with access to improved sanitation
  
- vii. Proportion of population with access to secure tenure [Urban/rural desegregation of several of the above indicators may be relevant for monitoring improvement in the lives of slum dwellers]

**Goal 8: Develop a global partnership for development**

- i. Develop further an open, rule-based, predictable, non-discriminatory trading and financial system (includes a commitment to good governance, development, and poverty reduction—both nationally and internationally).

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

### ***Article 2***

States Parties condemn discrimination against women in all its forms, agree to pursue by all appropriate means and without delay a policy of eliminating discrimination against women and, to this end, undertake:

(a) To embody the principle of the equality of men and women in their national constitutions or other appropriate legislation if not yet incorporated therein and to ensure, through law and other appropriate means, the practical realization of this principle;

(b) To adopt appropriate legislative and other measures, including sanctions where appropriate, prohibiting all discrimination against women;

(c) To establish legal protection of the rights of women on an equal basis with men and to ensure through competent national tribunals and other public institutions the effective protection of women against any act of discrimination;

(d) To refrain from engaging in any act or practice of discrimination against women and to ensure that public authorities and institutions shall act in conformity with this obligation;

(e) To take all appropriate measures to eliminate discrimination against women by any person, organization or enterprise;

(f) To take all appropriate measures, including legislation, to modify or abolish existing laws, regulations, customs and practices which constitute discrimination against women;

(g) To repeal all national penal provisions which constitute discrimination against women.

### ***Article 3***

States Parties shall take in all fields, in particular in the political, social, economic and cultural fields, all appropriate measures, including legislation, to ensure the full development and advancement of women, for the purpose of guaranteeing them the exercise and enjoyment of human rights and fundamental freedoms on a basis of equality with men.

**Article 5**

States Parties shall take all appropriate measures:

(a) To modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women;

**Article 6**

States Parties shall take all appropriate measures, including legislation, to suppress all forms of traffic in women and exploitation of prostitution of women.

**PART II**

**Article 9**

1. States Parties shall grant women equal rights with men to acquire, change or retain their nationality. They shall ensure in particular that neither marriage to an alien nor change of nationality by the husband during marriage shall automatically change the nationality of the wife, render her stateless or force upon her the nationality of the husband.

**PART III**

**Article 10**

States Parties shall take all appropriate measures to eliminate discrimination against women in order to ensure to them equal rights with men in the field of education and in particular to ensure, on a basis of equality of men and women:

(h) Access to specific educational information to help to ensure the health and well-being of families, including information and advice on family planning.

**Article 12**

1. States Parties shall take all appropriate measures to eliminate discrimination against women in the field of health care in order to ensure, on a basis of equality of men and women, access to health care services, including those related to family planning.

2. Notwithstanding the provisions of paragraph 1 of this article, States Parties shall ensure to women appropriate services in connection with pregnancy, confinement and the post-natal period, granting free services where necessary, as well as adequate nutrition during pregnancy and lactation.

**Article 13**

States Parties shall take all appropriate measures to eliminate discrimination against women in other areas of economic and social life in order to ensure, on a basis of equality of men and women, the same rights, in particular:

- (a) The right to family benefits;
- (b) The right to bank loans, mortgages and other forms of financial credit;
- (c) The right to participate in recreational activities, sports and all aspects of cultural life.

**Article 14**

1. States Parties shall take into account the particular problems faced by rural women and the significant roles which rural women play in the economic survival of their families, including their work in the non-monetized sectors of the economy, and shall take all appropriate measures to ensure the application of the provisions of the present Convention to women in rural areas.

2. States Parties shall take all appropriate measures to eliminate discrimination against women in rural areas in order to ensure, on a basis of equality of men and women that they participate in and benefit from rural development and, in particular, shall ensure to such women the right:

- (a) To participate in the elaboration and implementation of development planning at all levels;
- (b) To have access to adequate health care facilities, including information, counselling and services in family planning;
- (c) To benefit directly from social security programs;
- (d) To obtain all types of training and education, formal and non-formal, including that relating to functional literacy, as well as, inter alia, the benefit of all community and extension services, in order to increase their technical proficiency;
- (e) To organize self-help groups and co-operatives in order to obtain equal access to economic opportunities through employment or self employment;
- (f) To participate in all community activities;
- (g) To have access to agricultural credit and loans, marketing facilities, appropriate technology and equal treatment in land and agrarian reform as well as in land resettlement schemes;
- (h) To enjoy adequate living conditions, particularly in relation to housing, sanitation, electricity and water supply, transport and communications.

## **PART IV**

### ***Article 15***

1. States Parties shall accord to women equality with men before the law.
2. States Parties shall accord to women, in civil matters, a legal capacity identical to that of men and the same opportunities to exercise that capacity. In particular, they shall give women equal rights to conclude contracts and to administer property and shall treat them equally in all stages of procedure in courts and tribunals.
3. States Parties agree that all contracts and all other private instruments of any kind with a legal effect which is directed at restricting the legal capacity of women shall be deemed null and void.
4. States Parties shall accord to men and women the same rights with regard to the law relating to the movement of persons and the freedom to choose their residence and domicile.

### ***Article 16***

1. States Parties shall take all appropriate measures to eliminate discrimination against women in all matters relating to marriage and family relations and in particular shall ensure, on a basis of equality of men and women:
  - (a) The same right to enter into marriage;
  - (b) The same right freely to choose a spouse and to enter into marriage only with their free and full consent;
  - (c) The same rights and responsibilities during marriage and at its dissolution;
  - (d) The same rights and responsibilities as parents, irrespective of their marital status, in matters relating to their children; in all cases the interests of the children shall be paramount;
  - (e) The same rights to decide freely and responsibly on the number and spacing of their children and to have access to the information, education and means to enable them to exercise these rights;
  - (f) The same rights and responsibilities with regard to guardianship, wardship, trusteeship and adoption of children, or similar institutions where these concepts exist in national legislation; in all cases the interests of the children shall be paramount;

(g) The same personal rights as husband and wife, including the right to choose a family name, a profession and an occupation;

(h) The same rights for both spouses in respect of the ownership, acquisition, management, administration, enjoyment and disposition of property, whether free of charge or for a valuable consideration.

2. The betrothal and the marriage of a child shall have no legal effect, and all necessary action, including legislation, shall be taken to specify a minimum age for marriage and to make the registration of marriages in an official registry compulsory.

## **The United Nations** **Beijing Declaration and Platform for Action**

### **A. Women and Poverty**

#### **Strategic objective A.2**

**Revise laws and administrative practices to ensure women's equal rights and access to economic resources.**

#### **Actions to be taken**

61. By Governments:

- a. Ensure access to free or low-cost legal services, including legal literacy, especially designed to reach women living in poverty;
- b. Undertake legislative and administrative reforms to give women full and equal access to economic resources, including the right to inheritance and to ownership of land and other property, credit, natural resources and appropriate technologies;
- c. Consider ratification of Convention No. 169 of the International Labour Organization (ILO) as part of their efforts to promote and protect the rights of indigenous people.

## **B. Education and Training of Women**

### **Strategic objective B.4**

#### **Develop non-discriminatory education and training**

##### **Actions to be taken**

83. By Governments, educational authorities and other educational and academic institutions:

- a. Elaborate recommendations and develop curricula, textbooks and teaching aids free of gender-based stereotypes for all levels of education, including teacher training, in association with all concerned - publishers, teachers, public authorities and parents' associations;
- b. Develop training programs and materials for teachers and educators that raise awareness about the status, role and contribution of women and men in the family, as defined in paragraph 29 above, and society; in this context, promote equality, cooperation, mutual respect and shared responsibilities between girls and boys from pre- school level onward and develop, in particular, educational modules to ensure that boys have the skills necessary to take care of their own domestic needs and to share responsibility for their household and for the care of dependants;
- c. Develop training programs and materials for teachers and educators that raise awareness of their own role in the educational process, with a view to providing them with effective strategies for gender- sensitive teaching;
- d. Take actions to ensure that female teachers and professors have the same opportunities as and equal status with male teachers and professors, in view of the importance of having female teachers at all levels and in order to attract girls to school and retain them in school;
- e. Introduce and promote training in peaceful conflict resolution;
- f. Take positive measures to increase the proportion of women gaining access to educational policy- and decision-making, particularly women teachers at all levels of education and in academic disciplines that are traditionally male-dominated, such as the scientific and technological fields;
- g. Support and develop gender studies and research at all levels of education, especially at the postgraduate level of academic institutions, and apply them in the development of curricula, including university curricula, textbooks and teaching aids, and in teacher training;
- h. Develop leadership training and opportunities for all women to encourage them to take leadership roles both as students and as adults in civil society;

- i. Develop appropriate education and information programs with due respect for multilingualism, particularly in conjunction with the mass media, that make the public, particularly parents, aware of the importance of non-discriminatory education for children and the equal sharing of family responsibilities by girls and boys;
- j. Develop human rights education programs that incorporate the gender dimension at all levels of education, in particular by encouraging higher education institutions, especially in their graduate and postgraduate juridical, social and political science curricula, to include the study of the human rights of women as they appear in United Nations conventions;
- k. Remove legal, regulatory and social barriers, where appropriate, to sexual and reproductive health education within formal education programs regarding women's health issues;
- l. Encourage, with the guidance and support of their parents and in cooperation with educational staff and institutions, the elaboration of educational programs for girls and boys and the creation of integrated services in order to raise awareness of their responsibilities and to help them to assume those responsibilities, taking into account the importance of such education and services to personal development

## **C. Women and Health**

### **Strategic objective C.1**

#### **Increase women's access throughout the life cycle to appropriate, affordable and quality health care, information and related services**

##### **Actions to be taken:**

By Governments, in collaboration with non-governmental organizations and employers' and workers' organizations and with the support of international institutions:

- a. Support and implement the commitments made in the Programme of Action of the International Conference on Population and Development, as established in the report of that Conference and the Copenhagen Declaration on Social Development and Programme of Action of the World Summit for Social Development and the obligations of States parties under the Convention on the Elimination of All Forms of Discrimination against Women and other relevant international agreements, to meet the health needs of girls and women of all ages;

- b. Reaffirm the right to the enjoyment of the highest attainable standards of physical and mental health, protect and promote the attainment of this right for women and girls and incorporate it in national legislation, for example; review existing legislation, including health legislation, as well as policies, where necessary, to reflect a commitment to women's health and to ensure that they meet the changing roles and responsibilities of women wherever they reside;
- c. Design and implement, in cooperation with women and community-based organizations, gender-sensitive health programs, including decentralized health services, that address the needs of women throughout their lives and take into account their multiple roles and responsibilities, the demands on their time, the special needs of rural women and women with disabilities and the diversity of women's needs arising from age and socio-economic and cultural differences, among others; include women, especially local and indigenous women, in the identification and planning of health-care priorities and programs; remove all barriers to women's health services and provide a broad range of health-care services;
- d. Allow women access to social security systems in equality with men throughout the whole life cycle;
- e. Provide more accessible, available and affordable primary health-care services of high quality, including sexual and reproductive health care, which includes family planning information and services, and giving particular attention to maternal and emergency obstetric care, as agreed to in the Programme of Action of the International Conference on Population and Development;
- f. Redesign health information, services and training for health workers so that they are gender-sensitive and reflect the user's perspectives with regard to interpersonal and communications skills and the user's right to privacy and confidentiality; these services, information and training should be based on a holistic approach;
- g. Ensure that all health services and workers conform to human rights and to ethical, professional and gender-sensitive standards in the delivery of women's health services aimed at ensuring responsible, voluntary and informed consent; encourage the development, implementation and dissemination of codes of ethics guided by existing international codes of medical ethics as well as ethical principles that govern other health professionals;

## **Strategic Objective C.2**

### **Strengthen preventive programs that promote women's health**

#### **Actions to be taken:**

**107.** By Governments, in cooperation with non-governmental organizations, the mass media, the private sector and relevant international organizations, including United Nations bodies, as appropriate:

- a. Give priority to both formal and informal educational programs that support and enable women to develop self-esteem, acquire knowledge, make decisions on and take responsibility for their own health, achieve mutual respect in matters concerning sexuality and fertility and educate men regarding the importance of women's health and well-being, placing special focus on programs for both men and women that emphasize the elimination of harmful attitudes and practices, including female genital mutilation, son preference (which results in female infanticide and prenatal sex selection), early marriage, including child marriage, violence against women, sexual exploitation, sexual abuse, which at times is conducive to infection with HIV/AIDS and other sexually transmitted diseases, drug abuse, discrimination against girls and women in food allocation and other harmful attitudes and practices related to the life, health and well-being of women, and recognizing that some of these practices can be violations of human rights and ethical medical principles;
- b. Pursue social, human development, education and employment policies to eliminate poverty among women in order to reduce their susceptibility to ill health and to improve their health;
- c. Develop and undertake media campaigns and information and educational programs that inform women and girls of the health and related risks of substance abuse and addiction and pursue strategies and programs that discourage substance abuse and addiction and promote rehabilitation and recovery;
- d. Devise and implement comprehensive and coherent programs for the prevention, diagnosis and treatment of osteoporosis, a condition that predominantly affects women;
- e. Establish and/or strengthen programs and services, including media campaigns, that address the prevention, early detection and treatment of breast, cervical and other cancers of the reproductive system;
- f. Reduce environmental hazards that pose a growing threat to health, especially in poor regions and communities; apply a precautionary approach, as agreed to in the Rio Declaration on Environment and Development, adopted by the United Nations Conference on Environment and Development, and include reporting on women's

- health risks related to the environment in monitoring the implementation of Agenda 21;
- g. Create awareness among women, health professionals, policy makers and the general public about the serious but preventable health hazards stemming from tobacco consumption and the need for regulatory and education measures to reduce smoking as important health promotion and disease prevention activities;
  - h. Ensure that medical school curricula and other health-care training include gender-sensitive, comprehensive and mandatory courses on women's health;
  - i. Adopt specific preventive measures to protect women, youth and children from any abuse - sexual abuse, exploitation, trafficking and violence, for example - including the formulation and enforcement of laws, and provide legal protection and medical and other assistance.

### **Strategic objective C.3**

#### **Undertake gender-sensitive initiatives that address sexually transmitted diseases, HIV/AIDS, and sexual and reproductive health issues**

##### **Actions to be taken:**

- 108. By Governments, international bodies including relevant United Nations organizations, bilateral and multilateral donors and non-governmental organizations:
  - a. Ensure the involvement of women, especially those infected with HIV/AIDS or other sexually transmitted diseases or affected by the HIV/AIDS pandemic, in all decision-making relating to the development, implementation, monitoring and evaluation of policies and programs on HIV/AIDS and other sexually transmitted diseases;
  - b. Review and amend laws and combat practices, as appropriate, that may contribute to women's susceptibility to HIV infection and other sexually transmitted diseases, including enacting legislation against those socio-cultural practices that contribute to it, and implement legislation, policies and practices to protect women, adolescents and young girls from discrimination related to HIV/AIDS;
  - c. Encourage all sectors of society, including the public sector, as well as international organizations, to develop compassionate and supportive, non-discriminatory HIV/AIDS-related policies and practices that protect the rights of infected individuals;
  - d. Recognize the extent of the HIV/AIDS pandemic in their countries, taking particularly into account its impact on women, with a view to ensuring that infected women do not suffer stigmatization and discrimination, including during travel;

- e. Develop gender-sensitive multi-sectoral programs and strategies to end social subordination of women and girls and to ensure their social and economic empowerment and equality; facilitate promotion of programs to educate and enable men to assume their responsibilities to prevent HIV/AIDS and other sexually transmitted diseases;
  - f. Facilitate the development of community strategies that will protect women of all ages from HIV and other sexually transmitted diseases; provide care and support to infected girls, women and their families and mobilize all parts of the community in response to the HIV/AIDS pandemic to exert pressure on all responsible authorities to respond in a timely, effective, sustainable and gender-sensitive manner;
  - g. Support and strengthen national capacity to create and improve gender-sensitive policies and programs on HIV/AIDS and other sexually transmitted diseases, including the provision of resources and facilities to women who find themselves the principal caregivers or economic support for those infected with HIV/AIDS or affected by the pandemic, and the survivors, particularly children and older persons;
  - h. Provide workshops and specialized education and training to parents, decision makers and opinion leaders at all levels of the community, including religious and traditional authorities, on prevention of HIV/AIDS and other sexually transmitted diseases and on their repercussions on both women and men of all ages;
  - i. Give all women and health workers all relevant information and education about sexually transmitted diseases including HIV/AIDS and pregnancy and the implications for the baby, including breast-feeding;
  - j. Assist women and their formal and informal organizations to establish and expand effective peer education and outreach programs and to participate in the design, implementation and monitoring of these programs;
114. Should be able to place trust, including police and prison officials and security forces.
115. The effective suppression of trafficking in women and girls for the sex trade is a matter of pressing international concern. Implementation of the 1949 Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others, as well as other relevant instruments, needs to be reviewed and strengthened. The use of women in international prostitution and trafficking networks has become a major focus of international organized crime. The Special Rapporteur of the Commission on Human Rights on violence against women, who has explored these acts as an additional cause of the violation of the human rights and fundamental freedoms of women and

girls, is invited to address, within her mandate and as a matter of urgency, the issue of international trafficking for the purposes of the sex trade, as well as the issues of forced prostitution, rape, sexual abuse and sex tourism. Women and girls who are victims of this international trade are at an increased risk of further violence, as well as unwanted pregnancy and sexually transmitted infection, including infection with HIV/AIDS.

116. In addressing violence against women, Governments and other actors should promote an active and visible policy of mainstreaming a gender perspective in all policies and programs so that before decisions are taken an analysis may be made of their effects on women and men, respectively.

### **Strategic Objective D.1**

#### **Take integrated measures to prevent and eliminate violence against women**

##### **Actions to be taken:**

124. By Governments:
  - a. Condemn violence against women and refrain from invoking any custom, tradition or religious consideration to avoid their obligations with respect to its elimination as set out in the Declaration on the Elimination of Violence against Women;
  - b. Refrain from engaging in violence against women and exercise due diligence to prevent, investigate and, in accordance with national legislation, punish acts of violence against women, whether those acts are perpetrated by the State or by private persons;
  - c. Enact and/or reinforce penal, civil, labour and administrative sanctions in domestic legislation to punish and redress the wrongs done to women and girls who are subjected to any form of violence, whether in the home, the workplace, the community or society;
  - d. Adopt and/or implement and periodically review and analyse legislation to ensure its effectiveness in eliminating violence against women, emphasizing the prevention of violence and the prosecution of offenders; take measures to ensure the protection of women subjected to violence, access to just and effective remedies, including compensation and indemnification and healing of victims, and rehabilitation of perpetrators;

- e. Work actively to ratify and/or implement international human rights norms and instruments as they relate to violence against women, including those contained in the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, [13]and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;
- f. Implement the Convention on the Elimination of All Forms of Discrimination against Women, taking into account general recommendation 19, adopted by the Committee on the Elimination of Discrimination against Women at its eleventh session;
- g. Promote an active and visible policy of mainstreaming a gender perspective in all policies and programs related to violence against women; actively encourage, support and implement measures and programs aimed at increasing the knowledge and understanding of the causes, consequences and mechanisms of violence against women among those responsible for implementing these policies, such as law enforcement officers, police personnel and judicial, medical and social workers, as well as those who deal with minority, migration and refugee issues, and develop strategies to ensure that the revictimization of women victims of violence does not occur because of gender-insensitive laws or judicial or enforcement practices;
- h. Provide women who are subjected to violence with access to the mechanisms of justice and, as provided for by national legislation, to just and effective remedies for the harm they have suffered and inform women of their rights in seeking redress through such mechanisms;
- i. Enact and enforce legislation against the perpetrators of practices and acts of violence against women, such as female genital mutilation, female infanticide, prenatal sex selection and dowry- related violence, and give vigorous support to the efforts of non-governmental and community organizations to eliminate such practices;
- j. Formulate and implement, at all appropriate levels, plans of action to eliminate violence against women;
- k. Adopt all appropriate measures, especially in the field of education, to modify the social and cultural patterns of conduct of men and women, and to eliminate prejudices, customary practices and all other practices based on the idea of the inferiority or superiority of either of the sexes and on stereotyped roles for men and women;
- l. Create or strengthen institutional mechanisms so that women and girls can report acts of violence against them in a safe and confidential environment, free from the fear of penalties or retaliation, and file charges;

## **Strategic Objective D.2**

**Study the causes and consequences of violence against women and the effectiveness of preventive measures.**

### **Actions to be taken:**

129. By Governments, regional organizations, the United Nations, other international organizations, research institutions, women's and youth organizations and non-governmental organizations, as appropriate:
  - a. Promote research, collect data and compile statistics, especially concerning domestic violence relating to the prevalence of different forms of violence against women, and encourage research into the causes, nature, seriousness and consequences of violence against women and the effectiveness of measures implemented to prevent and redress violence against women;
  - b. Disseminate findings of research and studies widely;
  - c. Support and initiate research on the impact of violence, such as rape, on women and girl children, and make the resulting information and statistics available to the public;
  - d. Encourage the media to examine the impact of gender role stereotypes, including those perpetuated by commercial advertisements which foster gender-based violence and inequalities, and how they are transmitted during the life cycle, and take measures to eliminate these negative images with a view to promoting a violence-free society.

## **Strategic Objective D.3**

**Eliminate trafficking in women and assist victims of violence due to prostitution and trafficking.**

### **Actions to be taken:**

130. By Governments of countries of origin, transit and destination, regional and international organizations, as appropriate:
  - a. Consider the ratification and enforcement of international conventions on trafficking in persons and on slavery;
  - b. Take appropriate measures to address the root factors, including external factors, that encourage trafficking in women and girls for prostitution and other forms of commercialized sex, forced marriages and forced labour in order to eliminate trafficking in women, including by strengthening existing legislation with a view to providing better

- protection of the rights of women and girls and to punishing the perpetrators, through both criminal and civil measures;
- c. Step up cooperation and concerted action by all relevant law enforcement authorities and institutions with a view to dismantling national, regional and international networks in trafficking;
  - d. Allocate resources to provide comprehensive programs designed to heal and rehabilitate into society victims of trafficking, including through job training, legal assistance and confidential health care, and take measures to cooperate with non-governmental organizations to provide for the social, medical and psychological care of the victims of trafficking;
  - e. Develop educational and training programs and policies and consider enacting legislation aimed at preventing sex tourism and trafficking, giving special emphasis to the protection of young women and children.

## **Strategic Objective I.2**

### **Ensure equality and non-discrimination under the law and in practice**

#### **Actions to be taken:**

232. By Governments:
  - a. Give priority to promoting and protecting the full and equal enjoyment by women and men of all human rights and fundamental freedoms without distinction of any kind as to race, colour, sex, language, religion, political or other opinions, national or social origins, property, birth or other status;
  - b. Provide constitutional guarantees and/or enact appropriate legislation to prohibit discrimination on the basis of sex for all women and girls of all ages and assure women of all ages equal rights and their full enjoyment;
  - c. Embody the principle of the equality of men and women in their legislation and ensure, through law and other appropriate means, the practical realization of this principle;
  - d. Review national laws, including customary laws and legal practices in the areas of family, civil, penal, labour and commercial law in order to ensure the implementation of the principles and procedures of all relevant international human rights instruments by means of national legislation, revoke any remaining laws that discriminate on the basis of sex and remove gender bias in the administration of justice;
  - e. Strengthen and encourage the development of programs to protect the human rights of women in the national institutions on human rights that carry out programs, such as human rights commissions or ombudspersons, according them appropriate status, resources and

- access to the Government to assist individuals, in particular women, and ensure that these institutions pay adequate attention to problems involving the violation of the human rights of women;
- f. Take action to ensure that the human rights of women, including the rights referred to in paragraphs 94 to 96 above, are fully respected and protected;
  - g. Take urgent action to combat and eliminate violence against women, which is a human rights violation, resulting from harmful traditional or customary practices, cultural prejudices and extremism;
  - h. Prohibit female genital mutilation wherever it exists and give vigorous support to efforts among non-governmental and community organizations and religious institutions to eliminate such practices;
  - i. Provide gender-sensitive human rights education and training to public officials, including, inter alia, police and military personnel, corrections officers, health and medical personnel, and social workers, including people who deal with migration and refugee issues, and teachers at all levels of the educational system, and make available such education and training also to the judiciary and members of parliament in order to enable them to better exercise their public responsibilities;
  - j. Promote the equal right of women to be members of trade unions and other professional and social organizations;

### **Strategic Objective L.1**

#### **Eliminate all forms of discrimination against the girl child.**

##### **Actions to be taken:**

- 274. By Governments:
  - a. By States that have not signed or ratified the Convention on the Rights of the Child, take urgent measures towards signing and ratifying the Convention, bearing in mind the strong exhortation made at the World Conference on Human Rights to sign it before the end of 1995, and by States that have signed and ratified the Convention, ensure its full implementation through the adoption of all necessary legislative, administrative and other measures and by fostering an enabling environment that encourages full respect for the rights of children;
  - b. Consistent with article 7 of the Convention on the Rights of the Child, take measures to ensure that a child is registered immediately after birth and has the right from birth to a name, the right to acquire a nationality and, as far as possible, the right to know and be cared for by his or her parents;

- c. Take steps to ensure that children receive appropriate financial support from their parents, by, among other measures, enforcing child-support laws;
- d. Eliminate the injustice and obstacles in relation to inheritance faced by the girl child so that all children may enjoy their rights without discrimination, by, inter alia, enacting, as appropriate, and enforcing legislation that guarantees equal right to succession and ensures equal right to inherit, regardless of the sex of the child;
- e. Enact and strictly enforce laws to ensure that marriage is only entered into with the free and full consent of the intending spouses; in addition, enact and strictly enforce laws concerning the minimum legal age of consent and the minimum age for marriage and raise the minimum age for marriage where necessary;
- f. Develop and implement comprehensive policies, plans of action and programs for the survival, protection, development and advancement of the girl child to promote and protect the full enjoyment of her human rights and to ensure equal opportunities for girls; these plans should form an integral part of the total development process;

Ensure the desegregation by sex and age of all data related to children in the health, education and other sectors in order to include a gender perspective in planning, implementation and monitoring of such programs.

## **Strategic Objective L.2**

### **Eliminate negative cultural attitudes and practices against girls.**

#### **Actions to be taken:**

- 276. By Governments:
  - a. Encourage and support, as appropriate, non-governmental organizations and community-based organizations in their efforts to promote changes in negative attitudes and practices towards girls;
  - b. Set up educational programs and develop teaching materials and textbooks that will sensitize and inform adults about the harmful effects of certain traditional or customary practices on girl children;
  - c. Develop and adopt curricula, teaching materials and textbooks to improve the self-image, lives and work opportunities of girls, particularly in areas where women have traditionally been underrepresented, such as mathematics, science and technology;
  - d. Take steps so that tradition and religion and their expressions are not a basis for discrimination against girls.

277. By Governments and, as appropriate, international and non-governmental organizations:
- a. Promote an educational setting that eliminates all barriers that impede the schooling of married and/or pregnant girls and young mothers, including, as appropriate, affordable and physically accessible child-care facilities and parental education to encourage those who have responsibilities for the care of their children and siblings during their school years to return to, or continue with, and complete schooling;
  - b. Encourage educational institutions and the media to adopt and project balanced and non-stereotyped images of girls and boys, and work to eliminate child pornography and degrading and violent portrayals of the girl child;
  - c. Eliminate all forms of discrimination against the girl child and the root causes of son preference, which result in harmful and unethical practices such as prenatal sex selection and female infanticide; this is often compounded by the increasing use of technologies to determine foetal sex, resulting in abortion of female foetuses;
  - d. Develop policies and programs, giving priority to formal and informal education programs that support girls and enable them to acquire knowledge, develop self-esteem and take responsibility for their own lives; and place special focus on programs to educate women and men, especially parents, on the importance of girls' physical and mental health and well-being, including the elimination of discrimination against girls in food allocation, early marriage, violence against girls, female genital mutilation, child prostitution, sexual abuse, rape and incest.

### **Strategic Objective L.3**

#### **Promote and protect the rights of the girl child and increase awareness of her needs and potential**

##### **Actions to be taken:**

278. By Governments and international and non-governmental organizations:
- a. Generate awareness of the disadvantaged situation of girls among policy makers, planners, administrators and implementers at all levels, as well as within households and communities;
  - b. Make the girl child, particularly the girl child in difficult circumstances, aware of her own potential, educate her about the rights guaranteed to her under all international human rights instruments, including the Convention on the Rights of the Child, legislation enacted for her and

- the various measures undertaken by both governmental and non-governmental organizations working to improve her status;
- c. Educate women, men, girls and boys to promote girls' status and encourage them to work towards mutual respect and equal partnership between girls and boys;
  - d. Facilitate the equal provision of appropriate services and devices to girls with disabilities and provide their families with related support services, as appropriate.

## **Strategic Objective L.7**

### **Eradicate violence against the girl child**

#### **Actions to be taken:**

- 283. By Governments and, as appropriate, international and non-governmental organizations:
  - a. Take effective actions and measures to enact and enforce legislation to protect the safety and security of girls from all forms of violence at work, including training programs and support programs, and take measures to eliminate incidents of sexual harassment of girls in educational and other institutions;
  - b. Take appropriate legislative, administrative, social and educational measures to protect the girl child, in the household and in society, from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse;
  - c. Undertake gender sensitization training for those involved in healing and rehabilitation and other assistance programs for girls who are victims of violence and promote programs of information, support and training for such girls;
  - d. Enact and enforce legislation protecting girls from all forms of violence, including female infanticide and prenatal sex selection, genital mutilation, incest, sexual abuse, sexual exploitation, child prostitution and child pornography, and develop age-appropriate safe and confidential programs and medical, social and psychological support services to assist girls who are subjected to violence.

## **Strategic Objective L.9**

### **Strengthen the role of the family in improving the status of the girl child.**

#### **Actions to be taken:**

285. By Governments, in cooperation with non-governmental organizations:
- a. Formulate policies and programs to help the family, as defined in paragraph 29 above, in its supporting, educating and nurturing roles, with particular emphasis on the elimination of intra-family discrimination against the girl child;
  - b. Provide an environment conducive to the strengthening of the family, as defined in paragraph 29 above, with a view to providing supportive and preventive measures which protect, respect and promote the potential of the girl child;

## **The Commonwealth Plan of Action for Gender Equality 2005-2015**

### **II Gender, Human Rights and Law**

**3.15** The Commonwealth asserts its commitment to promoting a rights-based approach in all areas of its work. In issues related to gender equality and human rights, national constitutions, international human rights instruments such as the Universal Declaration of Human Rights and CEDAW are the primary instruments by which states parties have a duty to guarantee equality of rights between women and men. This framework is reinforced by provisions in national statutes, as well as regional treaties and instruments. In addition, other critical international or regional human rights instruments and monitoring bodies, which embed and extend these rights,<sup>12</sup> must also be recognized as key instruments for moving forward the gender-based rights agenda and integrating it into policies and programs at all levels.

**3.16** Although 50 Commonwealth countries have ratified CEDAW and 15 have ratified its Optional Protocol, there are still significant gaps in implementation. Many countries have ratified with reservations. Commonwealth countries should be encouraged to ratify CEDAW and other instruments such as the Convention on the Rights of the Child. The lack of a gender perspective in the administration of the law has stymied gains made in international and regional treaties and conventions. Even where sound legislation exists, application and interpretation of these laws are inadequate for many reasons: lack of political will, jurisdictional issues, lack of awareness in the public service and justice systems at all levels, lack of enforcement capacity, traditional or customary systems of law that discriminate against women,

women's inadequate awareness or legal illiteracy concerning their rights and recourse to justice, limited human and financial resources for monitoring and enforcement at national, local and community levels, and inadequate evidence-based data collection. It is in this context that violations of human rights of women and girls including elderly women and women with disabilities, occur and actions to redress these issues such as human rights education, remain urgent priorities.

**3.17** Women and girls experience different forms of discrimination and disadvantage at different stages in the life cycle. Genetic selection may be used to reduce the proportion of girls being born; as children, they may be denied the right to an education. As girls mature, their sexuality and sexual identity may conflict with their society's legal, social or religious views about sex, marriage and childbearing. In the labour market, women's work is often accorded lower value, status and remuneration than men's; women and girls are more vulnerable to exploitation; and women experience particular discrimination as they age. In order to ensure that progress and gains made at one stage in the life cycle are not negated by adverse experiences and discrimination later, adequate support needs to be given to enable transitions throughout the life cycle.

**3.18** Customary and religious laws, practices and traditions often have greater significance and value for people in their daily lives than the established statutory and constitutional laws in a country. In addressing gender equality and human rights issues, it is critical to recognize the complex ways in which identity; values and behaviour are formed and regulated at household and community level, often being shaped by elders, traditional leaders or religious institutions.

**3.19** It is therefore critical to promote active dialogue and engagement among members of the justice system, religious, cultural, traditional and civil institutions and communities to address women's human rights in all cultures. It is critical that harmful practices which violate the rights of women and girls such as female genital mutilation (FGM), early marriage, widow inheritance<sup>13</sup> are eliminated as a matter of urgency. Where multiple legal systems and practices exist – including constitutional, religious and customary - full consideration should be given to the human rights of women and men, and girls and boys and where violations occur, effective recourse and consequences need to be established.

**3.20** Gender-based violence remains one of the most intransigent forms of human rights violation because of its complex and varied forms and contributing factors. The right to freedom from gender-based violence will only be effectively realised in the context of increased social, political and economic freedoms and rights for women. There are clear links between gender-based violence and many other factors, such as poverty, HIV/AIDS, land and property rights, race/ethnicity, age and sexual orientation, and effective strategies to address gender-based violence need to recognise the full range of discrimination and prejudice in which it is perpetrated. Approaches to gender-based violence have often failed to recognise the special

predicament of widows and older women who may be especially vulnerable due to their economic and social circumstances. There is evidence that widows of all ages are abused through traditional practices which include discrimination in inheritance and property ownership. This situation is immeasurably compounded by conflict which has not only increased the number of widows worldwide, but renders them and their children more vulnerable to violations of their rights. Integrated approaches undertaken by all relevant agencies are required, underpinned by comprehensive laws and policies, monitoring and enforcement systems, and mechanisms to ensure accountability for implementation.

**3.21** The rapid growth of trafficking in persons is causing increasing global concern. Many of those most exploited and subjected to slavery-like situations are women and girls. It is widely acknowledged that the root causes of trafficking include the feminization of poverty, displacement as a result of natural and human-made catastrophes, gendered cultural practices, gender discrimination and gender-based violence in families and communities. However, it is important to recognise clearly the distinctions between trafficking, smuggling and regular and irregular migration, and to ensure that solutions and strategies appropriate to each context are found. Anti-trafficking legislation must embrace a human rights approach and protect the rights of those most vulnerable to abuse.

**3.22** In countries where indigenous peoples, particularly women, continue to be marginalized and disadvantaged in comparison to other groups in society, and face significantly greater poverty, social exclusion and discrimination, there has been a lack of recognition of their rights, despite acknowledgement of the marginalisation of indigenous peoples in the CHOGM Lusaka Declaration of 1979.

**3.23** Respect for land and property rights is fundamental to the realisation of human rights and gender equality. Despite constitutional and legal guarantees in many Commonwealth countries prohibiting discrimination against women with regard to ownership of, access to, or inheritance of land and property, *de facto* discrimination persists.

**3.24** Consequently, activities in this critical area will focus on:

- i. Legislative and constitutional reform, judicial capacity building and strengthening of mechanisms for implementation, monitoring and accountability of gender equality commitments.
- ii. Culture, violence against women, the law and human rights, including rights regarding access to and ownership of land and property.
- iii. Gender-based violence, integrated with work on trafficking in persons (especially women and girls), conflict resolution, peace-building and post-conflict reconstruction.
- iv. Indigenous peoples' rights, with a focus on indigenous women and girls.
- v. Gender and human rights throughout the life cycle, addressing discrimination and opportunities at all stages of life and ensuring the maintenance of rights from one

stage to another, linked with the achievement of the MDGs and poverty eradication strategies.

**3.25** Governments are encouraged to take action to:

- i. Recognise, ratify and implement international and regional human rights instruments that promote gender equality.
- ii. Promote legal and, where appropriate, constitutional reform in accordance with the universal standards of human rights including CEDAW in support of gender equality and strengthen the knowledge and capacity of the justice system, parliament and local authorities on gender equality and rights issues through appropriate and ongoing gender training.
- iii. Promote active dialogue and engagement between members of the justice system and religious, cultural, traditional and civil institutions and communities, to address women's human rights at all levels.
- iv. Adopt an integrated, zero-tolerance approach to gender-based violence, including strengthening of the law, appropriate public education, adequate institutional and financial support to address the needs of victims and witnesses, and rehabilitation of perpetrators.
- v. Promote the implementation and enforcement of appropriate laws and policies against trafficking and the commercial sexual exploitation of women and children, including the UN Protocol to Prevent, Suppress and Punish Trafficking in Women and Children, and develop plans and strategies to give effect to this protocol at the national level.
- vi. Foster and develop national, local and regional programs of action with indigenous peoples, particularly women, in accordance with international human rights standards and Commonwealth values on development, democracy and good governance, where required.
- vii. Promote the maintenance of gender-related rights throughout the life cycle, through the fulfillment of commitments made in the Convention on the Rights of the Child and CEDAW, as well as other agreements such as the Madrid International Plan of Action on Ageing and related regional plans of action and implementation strategies.
- viii. Ensure that women's rights to land, housing, property and inheritance are promoted and protected, having recourse to relevant international and national instruments on human rights and poverty eradication.
- ix. Codify positive customary laws that protect women as a process of reviewing the existing laws to ensure that all laws are in conformity with both international and domestic human rights obligations.

**3.26** The Secretariat will support member countries by:

- i. Working with governments and in collaboration with CSOs to develop appropriate laws and policies for the promotion and protection of women's human rights.
- ii. Documenting and disseminating case studies of good practice that address customary laws and practices that promote the rights of women and girls; examples of dialogue and synergy between customary systems and constitutional and

statutory institutions; and good practices in land reform processes that take into account gender equality.

iii. Providing training on the elimination of gender-based violence, using integrated approaches, and promoting the sharing of good practice at all levels.

iv. Supporting governments in the development of national plans and strategies to implement the UN Protocol to Prevent, Suppress and Punish Trafficking in Women and Children.

v. Promoting the rights of indigenous peoples, especially women, in political, social, economic and cultural spheres.

### **III Gender, poverty eradication and economic empowerment**

**3.37** Governments are encouraged to take action to:

i. Ensure that fiscal, trade and general macroeconomic policies are designed to promote women's economic empowerment and do not cause adverse gender impacts, ensuring that there is a stronger, but culturally appropriate social safety net for women and families.

ii. Promote the application and extension of GRB processes, and integration of gender analysis in trade policy and negotiation of trade agreements to ensure and protect social development, including the provision of essential public and social services, to undertake gender and social impact analyses and assessments of trade agreements.

iii. Develop and enforce policies and standards that recognize the contribution of women in the informal economy, and also ensure that their needs and interests are met in the policies of all relevant ministries.

iv. Promote policies and strategies to ensure the enrolment, retention and successful achievement of girls in education systems particularly at the primary and secondary levels, to review the school curricula to ensure that it does not promote gender stereotypes, and to improve the quality of education to meet or exceed the relevant MDGs and indicators.

v. Develop, amend and implement laws to ensure equal rights to productive resources (e.g. land, property and credit) for women and men, and enhance women's access to and control over natural resources (e.g. water and forests) in order to create sustainable livelihoods and food security.

vi. Develop equitable social protection systems to deal with risk and vulnerability caused by poverty, sickness, maternity, loss of employment or access to other income, disasters, etc.

vii. Involve women actively in the development of macroeconomic policies, programs and implementation strategies (MDG strategies, trade agreements, and national budgets); integrate gender analysis and gender equality provisions into all PRSPs and other poverty eradication strategies; and ensure 30 per cent representation of women in business, banking and financial boards. Set up consultative teams that include women and pro-poor CSOs to monitor the gender equality provisions these contain.

- viii. Provide gender-sensitive agricultural (e.g., dairy, forestry and fisheries) services and credit, including micro-credit/finance to women farmers and entrepreneurs.
- ix. Develop programs to meet women's need for appropriate skills, including non-traditional skills and technology, and facilitate credit/financing and marketing linkages, particularly for marginalized and vulnerable categories of women, including rural women.
- x. Support women's entrepreneurship, provide an enabling environment for business development, promote user-friendly training in trade negotiations at all levels, and secure new markets for agricultural and other products.
- xi. Facilitate the organization and networking of women's groups.
- xii. Improve statistical systems to make the paid and unpaid work of women visible and valued, and to ensure that data is disaggregated by sex to understand and monitor the eradication of poverty among women.
- xiii. Provide awareness and consultations on the gender impact of economic reform policies and WTO membership.
- xiv. Promote the special role that developed countries of the Commonwealth have in fostering the development of the less developed countries, and support that role in fulfilling their commitment to provide 0.7 per cent of GDP to overseas development assistance.

#### **IV Gender and HIV/AIDS**

**3.39** HIV/AIDS should be considered within the framework of sexual and reproductive health. This should be an integrated approach that recognises broader issues and goes beyond health interventions to reduce gender inequality. It should recognise the impact of broader social and economic policy on HIV/AIDS and the impact of HIV/AIDS on national productivity. The UN Declaration of Commitment on HIV/AIDS<sup>15</sup> gave international recognition to the critical need to tackle gender inequality, which lies at the heart of vulnerability to and impact of HIV/AIDS. International, regional and national responses to HIV/AIDS increasingly acknowledge that women and girls are hardest hit by the pandemic. The impact and role of men and boys on gender equality and healthy sexuality is acknowledged.

**3.40** HIV/AIDS has reached crisis proportions in Sub-Saharan Africa, is increasing dramatically in the Caribbean, Asia and the Pacific, with enormous implications for small states. At their Abuja meeting in 2003, Commonwealth Heads of Government highlighted its devastating impact. They recognised the fundamental importance of confronting the pandemic if their countries are to meet the MDGs. The World Council of Churches (WCC) and its member churches have made efforts to overcome barriers to addressing sexuality, especially the 'culture of silence' and religion. Two-thirds of the five million people who became infected with HIV in 2003 were Commonwealth citizens. HIV/AIDS greatly affects people of working age, and in the most severely affected countries it is decimating the human resources necessary to sustain social and economic growth.

**3.41** Poverty and gender inequalities are driving factors in the spread and impact of HIV/AIDS. Women's unequal political and legal status perpetuates poverty, discrimination and lack of opportunity in social, economic and cultural spheres of activity, including access to and ownership of land and property, inheritance rights and decent work opportunities. In this context, women and girls, faced with the need to support their families, often feel they have little choice but to engage in sex work or in transactional sex (sex for food, rent, clothing, bus fare), which makes them even more vulnerable to HIV infection. Migrant workers and refugees constitute another particularly vulnerable group. It is also noted that the connection between sex and tourism cannot be ignored.

**3.42** Women also bear the brunt of the social and economic impact of HIV/AIDS. Women of all ages, especially older women, very young women, young married women and adolescent girls, bear unsustainable burdens of care for the sick and dying in their homes, face additional health-care costs for HIV-affected family members, and in many cases cope with extra dependants such as orphans. Research has shown that up to 90 per cent of HIV care is provided in the home. In some cases, over 43 per cent of total household labour is lost to AIDS-affected households because of care responsibilities.

**3.43** In a number of countries, there are growing numbers of child/orphan-headed households containing children with few prospects for education, socialisation or economic opportunities as they grow up. At the end of 2001, 11 million children in Sub-Saharan Africa under the age of 15 had lost one or both parents to HIV/AIDS. It is expected that by 2010, there will be 20 million AIDS orphans in this age group.

**3.44** Women and girls are more susceptible to contracting HIV not only for biological reasons but because power imbalances can make it difficult for them to negotiate safe sex or refuse unwanted sex. Gender-based violence, particularly rape, is both a cause and consequence of HIV transmission. The high incidence of violence and forced sex experienced by women, as well as their abandonment or eviction from their homes and communities when they are HIV positive, create enormous difficulties for women who lack economic means or alternatives. Illiteracy, lack of information or educational opportunities and inappropriate prevention messages further exacerbate the vulnerability of women and girls to infection. It is critical to increase opportunities and create an enabling environment for women and girls to be empowered to make choices and informed decisions over their lives and relationships in the home, workplace and community.

**3.45** Further, in over-crowded urban as well as rural areas, basic health and social services are grossly inadequate, especially in terms of treatment of opportunistic infections, voluntary testing and counselling facilities, anti-retroviral treatment and social and family service support. The challenges faced by most developing

countries are the lack of access to affordable drugs and to treatment monitoring facilities and lack of formal care arrangements. Even where support exists, many women and men are not aware of the services available to them at local and community levels.

**3.46** Lack of availability and access to female-controlled prevention methods are a critical factor in the increasing infection rate among women and girls. Women are twice as likely as men to contract HIV from a single act of unprotected sex, but they remain dependent on male co-operation to protect themselves from infection. Greater attention needs to be paid to research and investment in microbicides, improving and effectively marketing the female condom, and exploring other forms of female-controlled prevention. Microbicides are a promising solution to a social problem as they would enable women to protect themselves from increased risk of sexually transmitted infections and HIV through a prevention method that does not require the consent or knowledge of a partner. It would be important to ensure not only the safety and effectiveness of microbicides, but also that the products are available and accessible to women. Support for the development of microbicides should be part of a wider strategy of building capacity and infrastructure in primary health care systems, as well as the social and economic empowerment of women.

**3.47** While many policies and commitments made by governments and international organizations make the connection between gender and HIV/AIDS explicit, these commitments are not always implemented. Some examples of best practice are emerging, but there is often a big gap between policy and practice because of insufficient resources, training and capacity, especially where public sectors and basic service provision have been cut back. There is a need for greater attention to be paid to the implementation of policies and commitments, and for increased monitoring of and accountability for service delivery on the part of multilateral institutions, governments and CSOs. Clear indicators also need to be developed to assist Commonwealth member countries to effectively monitor the impacts of HIV/AIDS programs that are being implemented by national governments, NGOs, and regional and international agencies.

**3.48** The PoA supports and strengthens implementation of the Declaration of Commitment on HIV/AIDS agreed at the UN General Assembly Special Session in 2001. These commitments, targets and strategies include the empowerment of women as a strategy for reducing their vulnerability to HIV/AIDS, and alleviating the social and economic impact of the disease on women and girls. The PoA also carries forward the emphasis on women-controlled methods of prevention highlighted in the Communiqué from Commonwealth Health Ministers to CHOGM in Abuja (2003).

**3.49** Consequently, activities in this critical area will focus on:

i. Mainstreaming gender equality into multisectoral, national, regional and international programs on HIV/AIDS, including the World Health Organization '3 by

5' Initiative that aims to have 3 million people in developing countries on treatment by 2005.

ii. Promoting reproductive and sexual health and rights as agreed in the Programme of Action of the International Conference on Population and Development and the Platform for Action of the Fourth World Conference on Women and their Five-Year Reviews, as a means to achieving the MDGs.

iii. Promoting partnerships between women and men, and girls and boys to reduce the prevalence and impact of HIV/AIDS.

iv. Strengthening institutional partnerships to support the implementation of effective strategies to halt the spread of HIV/AIDS and address the social and economic impact of the pandemic, in particular on women and girls.

v. Increasing the emphasis on provision of women-friendly health services for the prevention of HIV/AIDS, and for the treatment, care and support of People Living with HIV/AIDS (PLWHA's), in partnership with their families.

vi. Preventing new HIV infections among young people, particularly girls and young women, through support and promotion of the adolescent reproductive health programme and the Commonwealth Youth Ambassadors for Positive Living Initiative, and through Commonwealth sport and development programs that promote healthy living.

vii Highlighting the role of men and boys in promoting gender equality and healthy sexuality.

viii Promoting recognition of the role that HIV positive women have to play both in society and in fighting HIV/AIDS, and protecting the property rights of HIV positive women.

**3.50** Governments are encouraged to take action to:

i. Strengthen gender mainstreaming in multi-sectoral HIV/AIDS policies and programs.

ii. Promote the increased availability of more affordable and easily accessible female-controlled methods of preventing HIV and other sexually transmitted infections as one component of comprehensive sexual and reproductive health strategy and an HIV/AIDS prevention strategy that address gender equality and women's empowerment.

iii. Intensify and expand awareness programs on the gender dimensions of HIV/AIDS, including in school curricula, as well as through strategies at all levels of

society to empower women and girls, particularly those who are marginalized, to negotiate sexual encounters and/or refuse unsafe or unwanted sex.

iv. Promote the involvement of men and boys in HIV/AIDS programs and strategies at all levels of society including education in eliminating gender stereotypes, access to reproductive and sexual health services, and encouraging safe and responsible sexual and reproductive behavior.

v. Ensure equal access and effective and efficient provision of treatment, care and support for women and men of all ages, including women with disabilities.

vi. Develop measures to address the specific needs of HIV/AIDS infected and affected women, including care-givers and those at risk of infection through gender-based violence and poverty.

vii. Introduce community programs that promote dialogue and partnership between women and men on the prevention of HIV/AIDS.

viii. Mitigate the impact of HIV/AIDS on human resources and strengthen capacity building in this area.

ix. Protect the rights of PLHWA's and take urgent measures to address stigma and discrimination.

x. Take legal, social and economic measures to reduce the vulnerability of women and girls to HIV/AIDS.

xi. Promote the full involvement and participation of PLWHA's and those most vulnerable, including women and girls, in the design, planning, implementation and evaluation of HIV/AIDS programs.

xii. Address the links between HIV/AIDS and sexual and reproductive health, and promote the full integration of HIV/AIDS and sexual and reproductive health programming and services.

xiii. Conduct research on factors contributing to sexual behaviors that lead to the spread of HIV/AIDS and other sexually transmitted infections to support the development of appropriate interventions.

xiv. Articulate the impact of HIV/AIDS on the economy.

xv. Allocate adequate budget for HIV/AIDS prevention, care and support at all levels of government to ensure sustainability beyond donor support.

**3.51** The Secretariat will support member countries by:

- i. Providing advice and technical assistance in the development and implementation of gender-sensitive, multisectoral HIV/AIDS policies and programs.
- ii. Developing training and resource materials on gender equality for use in public awareness programs, focusing on young people in particular.
- iii. Facilitating the sharing of gender-sensitive strategies and best practice for reducing the incidence of HIV/AIDS.
- iv. Promoting, strengthening and expanding the Commonwealth Youth Ambassadors for Positive Living Initiative across the Commonwealth.
- v. Ensuring that the Commonwealth participates actively in international, regional and national bodies and networks, and strengthens its strategic partnerships to enhance effective implementation of gender-sensitive responses to HIV/AIDS that take into account the specific needs of women and men.
- vi. Promoting the development of sports programs for youth and women that build self-esteem and promote healthy living.
- viii. Facilitating the exchange of regional experiences and lessons learned between Commonwealth countries, for example, the sharing of African experiences with other regions of the Commonwealth.

## **CARICOM Regional Plan of Action**

### **INTRODUCTION**

This Plan of Action (PoA) provides a framework for establishing a more constructive approach to mainstreaming gender in CARICOM's work programme, the conduct of research, and the design and implementation of policies and program by governments and non-governmental organizations (NGOs) which share responsibility for working towards gender equality in CARICOM member states.

### **PART I: A BACKGROUND TO GENDER MAINSTREAMING**

A. The Shift from a Women in Development to a Gender and Development Approach. The period between the First World Conference on Women in 1975 and the Third World Conference on Women in 1985 was dominated by a Women in Development (WID) approach, aimed at integrating women into development. During this period, women's bureaus or desks were established throughout the Caribbean region, and there was an emphasis on projects to provide women with income, skills

and services. While these projects were of some use to women, they sometimes compounded the difficulties they faced trying to balance the work of childbearing and childrearing with waged work. As the International Research and Training Institute for the Advancement of Women (INSTRAW) noted, “while the WID approach was successful in drawing attention to the multiple dimensions of women’s role (it) often proved counter-productive, generating new responsibilities and additional constraints on women’s time” (INSTRAW, 1996: 16- 17).

The weakness in the WID approach and continuing analysis of women’s subordination by feminists and other women converged to produce the Gender and Development (GAD) approach in the late 1980s and early 1990s. The shift from WID to GAD was a shift from seeing women as needing to be integrated into development, to one which understands that women are already integrated into development, beginning with their unwaged work in childbearing and childrearing, which is the work of producing and reproducing labor power.<sup>1</sup> The GAD approach focuses on the power relationship between men and women in the private and public spheres. It acknowledges that different social norms and values pertaining to women and men result in development policies and practices having a differential impact on women and men; and it argues, therefore, for the development of policies and practices that take account of and address areas of disadvantage that arise from the structure of gender relations.

## **B. The Emergence of Gender Mainstreaming as a Strategy**

The gender mainstreaming strategy emerged out of the GAD analysis. While it appeared in international texts for the first time following the Third World Conference on Women in 1985, it was at the Fourth World Conference on Women (FWCW) in 1995 that it was explicitly endorsed as a strategy for achieving gender equality. The Beijing Platform for Action specifically states that governments and other actors should promote an active and visible policy of mainstreaming a gender perspective in all policies and programmes, so that before decisions are taken, an analysis is made of their respective effects on women and men.<sup>2</sup> This mandate was in turn adopted in the CARICOM Plan of Action,<sup>3</sup> which called for gender mainstreaming into the culture and organization of institutions, including their policy-making and planning, and in public debate.

As part of its Beijing+5 activities in preparation for the United Nations General Assembly Special Session on Women in June 2000, the CARICOM Secretariat commissioned six papers in the priority areas identified for the region. While these papers pointed to some improvements in the position and status of women in member states, the conclusion drawn by the paper on education essentially summarizes their findings: education has not proven to be the vehicle for Caribbean women’s economic, political or personal empowerment. In spite of their overall higher levels of participation and performance at the secondary and tertiary levels of Caribbean education systems, the majority of the women in the Region continue to

be positioned in the lowest sectors of the capital market, earn lower wages than men, experience greater levels of unemployment and poverty, are under-represented in decision-making positions at the meso and macro levels of social and political institutions and lack real personal autonomy” (Bailey 2001:24)”

Meanwhile, the United Nations Economic Commission for Latin America and the Caribbean (UNECLAC) was uncovering serious weaknesses in the region’s approach to gender mainstreaming: a study on gender mainstreaming initiatives in the region commissioned by that organisation during its Beijing+5 activities found a general lack of clarity on the meaning and consequences of GAD and concluded that: “the continuing rhetoric around gender and gender mainstreaming in the absence of a sufficient understanding of the concepts and of the policies and practices required may be contributing to a certain regression in the commitment to gender equity” (UNECLAC March 2000: 30). It is against this background that the Beijing+5 Follow-up Meeting convened by the CARICOM Secretariat in December 2000 considered how the Secretariat, and ultimately member states, could more effectively mainstream gender into their work. After careful consideration of the six priority areas that had been identified, agreement was reached that in its next work programme cycle, the CARICOM Gender and Development Unit should focus on three strategic areas:

1. Education, with a focus on building human capital.
2. Health, with an emphasis on HIV/AIDS; and
3. Poverty and the economy, with a focus on the gender implications of implementing the CARICOM Single Market and Economy (CSME) in the context of globalization.

The rationale for choosing these areas for immediate focus was that CARICOM Heads of Government had identified them as priority areas for action. The December 2000 meeting also reached agreement that a Task Force on Gender Mainstreaming be established, its main objective being to identify strategies for mainstreaming gender into the three identified areas and its immediate mandate being as follows:

1. To agree on definitions, including those for gender, gender equality, gender equity and gender mainstreaming.
2. To agree on the steps to be taken to mainstream gender in the identified areas.
3. To present recommendations to the Policy Roundtable of Ministers and Technical Officers in the area of Gender and Women’s Affairs, to be held in October 2001.

The Task Force was established, a document entitled “Framework for Mainstreaming Gender into Key CARICOM Programs” was prepared, and following a meeting of the Task Force in April 2000, it was decided to propose that the first focus within the third priority area (movement towards the CSME), should be on how

labor is represented within the tri-partite social dialogue in which it works with governments and the private sector.

There were two related decisions:

1. That in relation to the third priority area, the Gender and Development Unit should begin collaboration with the Directorates for Regional Trade and Economic Integration and Community and Foreign Relations on gender, the economy, and trade issues; and

2. That while the regional desk for GAD should immediately begin to concentrate on the new priority areas, national desks should continue to work on all six priority areas as determined in each member state, calling on the support of agencies for which these issues are also priorities. All six priorities would be covered, some by more than one agency, as the following matrix which was developed out of the Beijing+5 December 2000 meeting shows.

Box 1: Priorities of the Main Agencies

AREA	AGENCY
Poverty and the Economy, including trade	CARICOM, UNECLAC, UNIFEM
Violence Against Women	UNIFEM, UNECLAC, UNFPA
Health, with a focus on HIV/AIDS	CARICOM, UNIFEM, UNFPA
Institutional Mechanisms/Gender Mainstreaming	UNECLAC, UNFPA
Leadership and Decision-Making	UNIFEM
Education	CARICOM

## **Convención de Belém Do Para – Comisión Interamericana de la Mujer (Convention of Belem Do Para, Inter-american Comisión for Women)**

### **DEFINITION AND SCOPE OF APPLICATION**

#### **Article I**

For the purposes of this Convention, violence against women shall be understood as any act or conduct, based on gender, which causes death or physical, sexual or psychological harm or suffering to women, whether in the public or the private sphere.

## **Article 2**

Violence against women shall be understood to include physical, sexual and psychological violence:

that occurs within the family or domestic unit or within any other interpersonal relationship, whether or not the perpetrator shares or has shared the same residence with the woman, including, among others, rape, battery and sexual abuse;

- a. that occurs in the community and is perpetrated by any person, including, among others, rape, sexual abuse, torture, trafficking in persons, forced prostitution, kidnapping and sexual harassment in the workplace, as well as in educational institutions, health facilities or any other place; and
- b. that is perpetrated or condoned by the state or its agents regardless of where it occurs.

## **CHAPTER II: RIGHTS PROTECTED**

### **Article 3**

Every woman has the right to be free from violence in both the public and private spheres.

### **Article 4**

Every woman has the right to the recognition, enjoyment, exercise and protection of all human rights and freedoms embodied in regional and international human rights instruments. These rights include, among others:

- a. The right to have her life respected;
- b. The right to have her physical, mental and moral integrity respected;
- c. The right to personal liberty and security;
- d. The right not to be subjected to torture;
- e. The right to have the inherent dignity of her person respected and her family protected;
- f. The right to equal protection before the law and of the law;

- g. The right to simple and prompt recourse to a competent court for protection against acts that violate her rights;
- h. The right to associate freely;
- i. The right of freedom to profess her religion and beliefs within the law; and
- j. The right to have equal access to the public service of her country and to take part in the conduct of public affairs, including decision-making.

### **Article 5**

Every woman is entitled to the free and full exercise of her civil, political, economic, social and cultural rights, and may rely on the full protection of those rights as embodied in regional and international instruments on human rights. The States Parties recognize that violence against women prevents and nullifies the exercise of these rights.

### **Article 6**

The right of every woman to be free from violence includes, among others:

- a. The right of women to be free from all forms of discrimination; and
- b. The right of women to be valued and educated free of stereotyped patterns of behavior and social and cultural practices based on concepts of inferiority or subordination.

## **CHAPTER III: DUTIES OF THE STATES**

### **Article 7**

The States Parties condemn all forms of violence against women and agree to pursue, by all appropriate means and without delay, policies to prevent, punish and eradicate such violence and undertake to:

- a. refrain from engaging in any act or practice of violence against women and to ensure that their authorities, officials, personnel, agents, and institutions act in conformity with this obligation;
- b. apply due diligence to prevent, investigate and impose penalties for violence against women;

c.. include in their domestic legislation penal, civil, administrative and any other type of provisions that may be needed to prevent, punish and eradicate violence against women and to adopt appropriate administrative measures where necessary;

d. adopt legal measures to require the perpetrator to refrain from harassing, intimidating or threatening the woman or using any method that harms or endangers her life or integrity, or damages her property;

e. take all appropriate measures, including legislative measures, to amend or repeal existing laws and regulations or to modify legal or customary practices which sustain the persistence and tolerance of violence against women;

f. establish fair and effective legal procedures for women who have been subjected to violence which include, among others, protective measures, a timely hearing and effective access to such procedures;

g. establish the necessary legal and administrative mechanisms to ensure that women subjected to violence have effective access to restitution, reparations or other just and effective remedies; and

h. adopt such legislative or other measures as may be necessary to give effect to this Convention.

## **Article 8**

The States Parties agree to undertake progressively specific measures, including programs:

a. to promote awareness and observance of the right of women to be free from violence, and the right of women to have their human rights respected and protected;

b. to modify social and cultural patterns of conduct of men and women, including the development of formal and informal educational programs appropriate to every level of the educational process, to counteract prejudices, customs and all other practices which are based on the idea of the inferiority or superiority of either of the sexes or on the stereotyped roles for men and women which legitimize or exacerbate violence against women;

c. to promote the education and training of all those involved in the administration of justice, police and other law enforcement officers as well as other personnel responsible for implementing policies for the prevention, punishment and eradication of violence against women;

d. to provide appropriate specialized services for women who have been subjected to violence, through public and private sector agencies, including shelters, counseling services for all family members where appropriate, and care and custody of the affected children;

e. to promote and support governmental and private sector education designed to raise the awareness of the public with respect to the problems of and remedies for violence against women;

f. to provide women who are subjected to violence access to effective readjustment and training programs to enable them to fully participate in public, private and social life;

g. to encourage the communications media to develop appropriate media guidelines in order to contribute to the eradication of violence against women in all its forms, and to enhance respect for the dignity of women;

h. to ensure research and the gathering of statistics and other relevant information relating to the causes, consequences and frequency of violence against women, in order to assess the effectiveness of measures to prevent, punish and eradicate violence against women and to formulate and implement the necessary changes; and

i. to foster international cooperation for the exchange of ideas and experiences and the execution of programs aimed at protecting women who are subjected to violence.

## **Article 9**

With respect to the adoption of the measures in this Chapter, the States Parties shall take special account of the vulnerability of women to violence by reason of among others, their race or ethnic background or their status as migrants, refugees or displaced persons.

# GENDER-BASED VIOLENCE IN BELIZE

## THE NATIONAL PLAN OF ACTION

### **Plan of Action**

This National Plan of Action includes goals, objectives, strategies and actions as presented below. It also includes a framework and review of related sections in national policies and international commitments.

### **Overall Goals:**

- To develop an integrated response that addresses law enforcement, health.
- To reduce the number of gender-based violence crimes in Belize.
- To provide a comprehensive and supportive service for victims of gender-based violence in Belize.
- To rehabilitate perpetrators of gender-based violent crimes.
- To promote a Zero Tolerance approach to gender-based violence throughout Belize.

### **Related National Policies:**

- The National Plan of Action for Children and Adolescents in Belize 2004-2015
- National Gender Policy of Belize 2002
- Sexual and Reproductive Health Policy 2002
- The National HIV/AIDS Strategic Plan and Policy 2005 -2011

### **Related International Commitments:**

- The UN Millennium Development Goals
- Convention on the Elimination of All Forms of Discrimination against Women
- The United Nations- Beijing Declaration and Platform for Action

- The Commonwealth Plan of Action for Gender Equality, 2005-2015
- The Caricom Regional Plan of Action
- Convencion Belem do Para – Inter-American Commission for Women

## **STRATEGIC GOAL ONE:**

### **Goal:**

**To reduce the number of gender-based violent crimes in Belize**

### **Aim:**

**Provide culturally-appropriate educational information to Belizeans to prevent gender-based violent crimes.**

Over the next 3 years it is imperative to get the message across to the Belizean youth that gender-based violence is the responsibility of both males and females. Violence is a learned process, with the cycle of violence within families producing abusers and victims in future generations. Information to youth is a major key to break this cycle.

Other worrying trends include the high increase of HIV/AIDS among women, thought to be as a direct result of the inability to negotiate safe sex and the high motherhood mortality rate, due to the powerlessness of women in abusive relationships to plan pregnancies with safe intervals in between for both the mother's health and the child's. These factors are a result of gender-based violence, and education, particularly of young males, is essential in tackling these issues.

### **Actions**

- Following the completion of the "Safe Schools" pilot project, extend the project to 50% of schools nationwide. Provide training workshops for

facilitators to administer the scheme on a yearly basis to the relevant age group in all schools.

- To pilot a Mentoring Program during 2008 and extend to 30% of target age group nationwide during 2009.
- Launch nationwide Men Against Domestic Violence campaign, throughout 2008. This should involve media coverage, events, talks by prominent men, all providing **positive male role models** to younger male Belizeans.
- Ensure access to contraception and sexual health clinics such as BFLA and the Ministry of Health throughout Belize, with advertisement of services through the media and in local newspapers.
- Assertiveness workshops offered to women and girls, dealing with negotiation and decision-making in relation to sex, offered throughout Belize during 2007-2009. (Continuation of the Global Development Fund Workshops – offered to a wider audience.)
- Work with NGOs and religious leaders to provide education, through such forums, to tackle gender-based violence.
- Set up parenting skills workshops, made available to pregnant women and their partners.

## STRATEGIC GOAL TWO:

### GOAL:

**Promote a Zero Tolerance approach to gender-based violence throughout Belize**

### **Aim: Enforcement of Justice**

In order to enforce the Zero Tolerance approach it is necessary to consider the services provided by the state from start to finish, namely the police service, Department of Prosecution, Legal Aid and the Judiciary. The effectiveness of any plan of action relies upon a coordinated approach of all these areas to facilitate the enforcement of justice for victims of gender-based violence. Although inroads have been made over recent years with regards to all of the sectors, it is necessary to continue to push for more training and further guidance to ensure that the message of Zero Tolerance to gender-based violence becomes a reality.

### ***Police***

The police are at the forefront in dealing with situations of gender-based violence. Ultimately the service they provide will affect the overall treatment of the case and any subsequent prosecutions. It is therefore necessary to ensure the continuation of training for the police in this area.

### **Actions**

- Following the implementation of the Criminal Justice Reforms proposed in the Consultation Paper 2005, workshops to highlight the new legislation for those

dealing with gender-based violence need to be scheduled nationwide for the police and governmental heads.

- Development of website displaying **legal guidance** for gender-based violence crimes. The guidance should set out the definition of the law, the specific charge and evidential considerations. This should help to ensure uniformity in the treatment of gender-based violence, and to help provide guidance for police on non-complex cases, without the need to contact legal counsel.
- Once guidance has been made available, an additional element within the police-training curriculum should be added for **charging considerations** in gender-based violence crimes. The exercise should cover discussion of the relevant laws that have been broken, the resulting charges that should be considered and the evidence that the police will need to collect in order that the case may be prosecuted effectively.
- Review of police time frames in order to ensure that crimes are prosecuted in a timely manner.
- Strengthen links between the police and DPP to ensure that cases are executed expediently. Strong bonds are required to be set up, in order to ensure that the police and prosecutors are working together to gain a successful conviction.

### ***DPP/Legal Aid***

As this plan is looking to promote the use of prosecution of abusers it is necessary to consider the work power of the Department of Public Prosecution and the provision of legal aid to ensure that cases are handled correctly and in a timely manner. It is noted that the Legal Aid and Advice Bill 2004 covers the area of legal advice and the

3 year plan of action for Improving the Administration of Justice in Belize, 1999, also puts forward a number of interesting suggestions. This plan is not intended to go over the same ground as these reports, therefore the following actions are intended to complement and are required to ensure that gender-based violence is dealt with expediently.

### **Actions**

- Research undertaken into offering pupillages to international lawyers to work in the DPP and Legal Aid office.
- Consideration be given to acquiring international junior counsel, on a short-term voluntary basis, to help reduce the backlog of cases at the DPP.
- Work with the Bar Association to ensure that members of the Bar Association provide a minimum number of hours of legal aid in Belize, per year. {Advancement into the judiciary could perhaps be tailored to take account of pro-bona work carried out through career, before appointment.}
- Approach University of the West Indies, Belize Campus to set up a Free Representation Services for legal students to run, assisted by legal aid department and pro-bono lawyers.

Currently legal aid is offered through the legal aid office in Belize City and also assistance can be acquired from the trained legal information officers, who reside throughout the districts. It is recommended that:

## **Actions**

- There is the development and enforcement of a referral system for the Women's Department/ Human Services/Haven House/NGOs/Churches to the legal aid center and legal information officers.
- Continuation of basic legal training of the Women's Department personnel.

## ***Judiciary***

### **Actions**

- There is the need to ensure that the judiciary remains up to date. To aid their primary responsibility the Attorney General's Office (with aid of Bar, Association) should provide newsletters of changes in the law, which can be e-mailed to magistrates and judges, to provide them with current information and links, in order to reduce time spent by judiciary searching for current information.

## ***Court System***

In the long term, consideration should be given to setting up a computer database so that cases which have gone through the courts and any orders obtained, can be easily found by departments who may need the information in the future. For example, in the situation in which a female has died due to domestic violence, any previous dealings with the courts would be useful for both the police and prosecution, helping to support any charges brought.

A computerised database would allow for such information to be readily available, assisting in a timely prosecution of the offender. This information would also be

useful for the courts themselves as well as caseworkers, in helping to establish the history in any given case.

### **Actions**

- Consideration of development of computer database to be used by court system.

### **Legal Actions**

#### **Actions**

- Research undertaken into the development of time frames for prosecution in crimes such as rape, serious assault and child sexual abuse cases. This must include the effect of police time frames currently in force and reference to practicality of personnel available to prosecute the crimes. It is noted that in order to develop time frames in relation to such cases the issue of backlog needs to be addressed, both within the police and at the DPP office. (See above regarding additional legal counsel and legal aid.)
- Continued legislative reform is required of all laws which are inadequate to provide protection to victims of gender-based violence.
- Use of pilot program, regarding Batterers Invention Program (see above) to be ordered by magistrates and judges, as remedy currently available under the Domestic Violence Act – rehabilitation order.
- Enforcement and construction/implementation of further protection for child victims of sexual abuse – with regards to pro-prosecution without the need for parental consent for child victims of sexual abuse. Where parent or guardian wishes to drop charges the state should continue with the action to ensure the **welfare of the child victim is secure.**

- Legislate for mandatory reporting by doctors/teachers/nurses/social workers etc. of child sexual abuse cases to police. Non-compliance dealt with by fines/imprisonment.

## **STRATEGIC GOAL THREE:**

**To provide a comprehensive and supportive service to victims of gender-based violence in Belize.**

**Aim: Ensure supportive environment in Belize for victims to move on with their lives.**

### **Actions**

- Work with NGOs to provide training and advice to religious leaders on how to deal with gender-based violence and ensure referral system established to incorporate referral of victims from Churches to Women's Department and Legal Aid/Legal Information Officers.
- Development of counselling services offered throughout Belize. Research into funding and who will administrate the service is required by the end of 2008. Aim for implementation of centralized counselling services, with nationwide coverage by the end of 2009.
- Set up caseworkers to be assigned to gender-based violence cases. The role of the caseworker would be to ensure referrals, advice victims of their options, help them to prepare for court and undertake a follow-up with victims. It has been suggested that the Women's Department would be ideally placed to

cover this role; however, research is required in to the necessary additional staffing and funding required for these posts.

- Provision of Transition Homes for victims of domestic violence in each district by 2009. At Haven House the victims can only stay for 21 days. These homes would give victims time to sort out alternative accommodation, and to find work.
- By 2009 extend support groups for victims and survivors of domestic violence nationwide.
- Produce a leaflet 'Know Your Rights', setting out basic legal rights and contact details for victims of gender-based violence. The leaflet needs to be distributed nationwide, with local contact details for each district.
- Ensure priority system for on-call doctors to perform medical examinations for sexual offences within short time frame by 2009, to prevent long waiting time and further frustration for victims.
- Provide information manual for nurses throughout Belize for referral purposes, listing the first point of contact and other services available for them to refer victims to.
- Publish monthly newsletters for government departments outlining changes in legislation, developments and landmark cases.
- Set up training center for survivors of gender-based violence, providing skills for re-integration into the work place in all districts.

## **STRATEGIC GOAL FOUR:**

### **GOAL:**

**Rehabilitate perpetrators of gender-based violent crimes.**

### **Aim:**

**Reduce the number of re-offenders through rehabilitation of abusers.**

### **Actions**

- Launch of the pilot Batterers Intervention Program, during 2008.
- Following the successful launch of Batterers Intervention Program, look to extend the program throughout Belize in 2009.
- Take the essence of the B.I.P and adapt for classes to be used in prisons 2009.

## Overview

### STRATEGIC GOAL ONE:

To reduce the number of gender-based violent crimes in Belize.

**Objective:** Supply cultural and educational information to Belizeans to prevent gender-based violent crimes.

Action	Time Frame	Party/ies Assisting in Implementation
1. Set up an 'Information, Education, and Communication Committee' to enable a coordinated approach in these areas and ensure standardised information being used across Belize.	Nov. 2008	National Gender-based Violence Committee  Gender-based Violence Committees in each district
2. Extend Safe Schools project to 50% of schools nationwide. Provide training workshops for facilitators to administer the scheme on a yearly basis to the relevant age group in all schools	2009	Women's Department, Ministry of Education  United Nations Population Fund (UNFPA)
3. Mentoring Program	2008	Women's Department, Youth Enhancement

		<p>Services</p> <p>Young Women's Christian Association</p> <p>National Women's Commission</p>
4. Launch nationwide Men Against Domestic Violence Campaign.	2008	<p>Women's Department</p> <p>Haven House</p> <p>Family Court</p> <p>Police Department</p> <p>National Committee for Families and Children</p> <p>Men's Groups</p> <p>Challenges Worldwide</p> <p>National Women's Commission</p> <p>Women's Issues Network</p> <p>Support Groups for Survivors of Domestic Violence</p> <p>POWA</p>
5. 90% of Belizeans to have access to contraception and sexual health clinics.	2009	<p>Belize Family Life Association,</p> <p>Ministry of Health</p> <p>Global Fund</p> <p>POWA</p>
6. Assertiveness information/ training offered	2007-	Women's

to 50% of women and girls in Belize.	2009	Department, Youth Enhancement Services Young Women's Christian Association Global Fund UNFPA POWA
7. Work with NGOs and religious leaders to provide community based education regarding gender-based violence	2007- 2008	Gender-based Violence Committees in each district. Women's Issues Network Haven House Council of Churches
8. Parenting skills workshop	2007- 2008	Young Women's Christian Association; COMPAR, Human Services Department Youth Enhancement Services

**STRATEGIC GOAL TWO:**

**Promote a Zero Tolerance approach to gender-based violence throughout Belize**

**Objective: Enforcement of Justice**

<b>Action/Target</b>	<b>Time Frame</b>	<b>Responsible Party/ies</b>
1. Provide workshops on Criminal Justice reforms for police, legal counsel and judiciary.	Within 3 months of imp.	NCFC, Women's Department, Attorney General's Office.
2. Add additional element for charging considerations within police gender training for gender-based violence crimes	2008	Attorney General Office, Director of Training, Police Department
3. Research offering pupillages to international lawyers to work in DPP/legal aid	2008	National Gender-based Violence Committee
4. Consider recruiting international lawyers, through Challenges Worldwide/other charities, to address backlog at DPP	2008-2009	DPP's Office Family Court Legal Aid
5. Work with Bar Association to ensure legal aid is offered by members.	2007-2009	Attorney General's Office Legal Aid Office
6. Set up Free Representation Service with Belize City University students	2008	Attorney General Office, Legal Aid Office

7. Develop and enforce referral system for all departments dealing with gender-based violence and contact with legal aid or legal information officers	2008	National Gender-based violence Committee Ministry of Health Police Department Women's Department
8. Continue basic legal training of W.D.O.s	2007/09	Women's Department
9. Research into development of time frames for prosecution in crimes such as rape, serious assault and child sexual abuse cases.	2008	NCFC, Human Services Department, Attorney General's Office
10. Use of rehabilitation order under Domestic Violence Act to be order by judiciary with regards to Batterer Intervention Program.	2008	Attorney General's Office
11. Construction and implementation of further protection for child victims of sexual abuse – with regards to pro-prosecution without the need for parental consent.	2008	Attorney General Office, NCFC, Human Services, Family Court
12. Ensure mandatory reporting by doctors/teachers/nurses/social workers etc. of child sexual abuse cases to police. Non-compliance dealt with by fines/imprisonment.	2007-2009	Attorney General's Office, Family Court, NCFC, Human Services
14. Continued legislative reform of laws which are inadequate to provide protection to victims of gender-based violence.	On-going	All departments/ NGOs

### **STRATEGIC GOAL THREE:**

**To provide a comprehensive and supportive service to victims of gender-based violence in Belize.**

**Objective: Ensure supportive environment in Belize for victims to move on with their lives.**

<b>Action/Target</b>	<b>Time Frame</b>	<b>Responsible Party/ies</b>
1. Provide formal training to religious leaders with regards to how to deal with victims of gender-based violence and the services available.	2007-2009	National Gender-based Violence Committee, Women's Department
2. Set up Gender-based violence response referral system to be used by NGOs and religious leaders	2008	Women's Issues Network
3. Comprehensive counselling service, covering 50% of Belize	2008-2009	Community Rehabilitation Department, Women's Department, COMPAR
4. Research into funding and role of gender-based caseworkers.	2008	Women's Department

5. Creation of post for 2 caseworkers	2008	Decision based on research results
6. Provision of transitional houses in each district	2007-2009	Haven House Women's Department,
7. Fully-functional support groups for survivors of domestic violence at least one group per district.	2007	Women's Department
8. Support groups for Men in each district	2008	Religious Groups
9. Produce updated 'Know Your Rights' leaflet.	2007	Women's Department
10. Set up priority on-call doctors for medical examinations in sexual abuse crimes.	2007-2008	Ministry of Health, Domestic Violence Unit
12. Provide manual for nurses, doctors and other health workers detailing referral process and contact numbers and addresses.	2008	Ministry of Health, Women's Department
15. Set up Transition House in Belize City for survivors of gender-based violence, providing skills for re-integration into the work place	2008	Haven House, Women's Department

**STRATEGIC GOAL FOUR:**

**Rehabilitate perpetrators of gender-based violent crimes.**

**Objective: Reduce the number of re-offenders through rehabilitation of abusers**

<b>Action/Target</b>	<b>Time Frame</b>	<b>Responsible Party/ies</b>
1. Launch pilot Batterers Intervention Program (B.I.P)	2008	Community Rehabilitation Department Family Court

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Ministry of Human Development  
Ministry of Health  
Ministry of Education  
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Family Court  
Women's Department  
Community Rehabilitation Department  
Human Services Department  
National Committee for Families and Children

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### **Family Court**

Margaret Nicholas  
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### **Department of Public Prosecution**

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**NGO's**

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Haven House  
Women's Issues Network  
Belize Family Life Association  
Young Women's Christian Association

**UN Agencies**

United Nations Population Fund (UNFPA)  
United Nations Population Fund for Women (UNIFEM)

**Other Funding Agencies**

Global Fund

**Commissions**

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