



Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women

Forty-third session

19 January-6 February 2009

Concluding observations of the Committee on the Elimination of Discrimination against Women

Dominica

1. The Committee considered the progress made in the implementation of the Convention on the Elimination of All Forms of Discrimination against Women in Dominica in the absence of an initial and subsequent periodic reports at its 869th and 870th meetings, on 21 January 2009. In the absence of a report and in the absence of responses to the Committee's list of issues and questions and taking into account all information available, the Committee adopted, during its forty-third session, the following comments based on the dialogue with the representatives of the State party.

2. At its thirty-seventh session, in 2007, the Committee invited the State party to submit a report before March 2008, failing which it would proceed with the consideration of the implementation of the Convention in the absence of the State party's report. The Committee notes with concern the State party's failure to honour its reporting obligations under article 18 of the Convention, and that no report had been submitted to the Committee since 1982, when its initial report was due.

3. The Committee expresses its appreciation for the constructive dialogue that was held between the Committee and the delegation of the State party, represented by Alix Boyd-Knights, speaker of the House of Assembly, and Ruth Allport, Permanent Secretary of the Ministry of Community Development, Culture, Gender Affairs and Information, which clarified the present status of implementation of the Convention and provided some information on the State party's non-compliance with its reporting obligation.

4. The Committee wishes to draw the attention of the State party to the fact that reporting is an obligation under article 18 of the Convention and that non-compliance in this regard creates serious obstacles to the effective monitoring of the implementation of the Convention at the national level.

5. The Committee takes into consideration the commitment of the State party to submit in 2009 a combined report covering the period from 1982 to 2009, for consideration by the Committee in 2010.

6. The Committee wishes to draw to the attention of the State party that it should consider seeking technical cooperation and assistance from United Nations agencies, including advisory services from the Office of the United Nations High Commissioner for Human Rights and other regional entities.

7. In the constructive dialogue, the Committee was made aware of plans to review, adopt and amend existing legislation, particularly in the area of family laws. It wishes to draw to the attention of the State party that there is an obligation to fully integrate the Convention in its domestic legislation and reiterates that such laws should be fully in line with the provisions of the Convention.

8. The Committee also noticed some lack of conceptual clarity on issues contained in the Convention, such as the definition of temporary special measures, some concepts related, *inter alia*, to education, health and violence against women, and urges the State party to update its understanding of the concepts as elaborated in the Committee's general recommendations, in particular, general recommendations 5, 12, 19, 21 and 23 to 25. The Committee requests the State party to include in its report statistical and detailed information, disaggregated by sex and other variables, such as rural and urban areas, on all the substantive provisions contained in the Convention. The Committee also requests the State party to provide information on the situation of indigenous Carib women as well as other vulnerable groups.

9. The Committee is looking forward to the speedy accession by the State party to the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women and to its acceptance of the amendment to article 20 of the Convention relating to the Committee's meeting time.

10. It is the Committee's view that the present comments require the State party's priority attention between now and the preparation of the report for submission in 2009. It calls upon the State party to submit the comments to all relevant ministries, especially to all those that are working on the preparation of the report, and to non-governmental organizations and other relevant stakeholders. The Committee requests the wide dissemination of the Convention among the people of Dominica, including Government officials, politicians, parliamentarians, judges, lawyers and women's and human rights organizations, in order to promote its effective implementation.
