



FOLLOW-UP MECHANISM  
CONVENTION OF BELÉM DO PARÁ (MESECVI)  
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**COMMONWEALTH OF THE BAHAMAS**  
**COUNTRY REPORT**  
**THIRD ROUND**

## **I. Introduction**

1. The purpose of this report is to assess the progress made by the Commonwealth of the Bahamas in implementing the Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women (Belém do Pará Convention) for the period 2014-2017, to submit observations and recommendations and identify obstacles.
2. The CEDAW recommendations 19<sup>1</sup> and 35<sup>2</sup> on gender-based violence against women, the Response to Indicators in the Third Round Evaluation phase<sup>3</sup>, the Final National Report on Commonwealth of the Bahamas in the Second Round<sup>4</sup>, the Guide to the Application of the Belém do Pará Convention of the MESECVI<sup>5</sup>, as well as official documents of international institutions were used in the preparation of this report.
3. The sections in which this Report is divided are related to the structure predefined by the CEVI: Legislation, National Plans, Access to Justice, Information and Statistics and Diversity. Each section will analyze the formal component, the financial and budget background and the state capabilities built to follow up the rights emanating from the Belém do Pará Convention.

## **II. Analysis of progress in the realization of the right of women to live a life free of violence**

### **LEGISLATION - Articles 1, 2, 3 and 7, items c), e) and g) of the Belém do Pará Convention**

#### **a) Formal component**

1. The Bahamas has incorporated provisions of the Belém do Pará Convention into its domestic legal system, and has also enacted relevant laws in this area. However, the country still lacks specific legislation to safeguard the rights of women who are victims of gender violence even though this is provided for in the Convention. It is also important to note that the Convention was ratified on May 3<sup>rd</sup>, 1995 and signed May 16<sup>th</sup>, 1995. However, there is no further information on the legal status in the domestic legal system, either as ordinary legislation or as constitutional status.

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<sup>1</sup> CEDAW. 1992. General recommendation No. 19: Violence against women. Available at: [http://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/1\\_Global/INT\\_CEDAW\\_GEC\\_37\\_31\\_E.pdf](http://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/1_Global/INT_CEDAW_GEC_37_31_E.pdf).

<sup>2</sup> CEDAW. 2017. General recommendation No. 35 on gender-based violence against women, updating general recommendation No. 19. Available at: [http://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/1\\_Global/CEDAW\\_C\\_GC\\_35\\_826\\_7\\_E.pdf](http://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/1_Global/CEDAW_C_GC_35_826_7_E.pdf)

<sup>3</sup> MESECVI. 2017. S.d. <http://www.oas.org/es/mesecvi/docs/Questionnaire3-St.KittsNevisResponse.pdf>

<sup>4</sup> WWW.oas.org/es/mesecvi/docs/FinalReport2012-Bahamas.doc

<sup>5</sup> MESECVI. 2015. Guía práctica para el sistema de indicadores de progreso para la medición de la implementación de la Convención de Belém do Pará. Available at: [http://www.oas.org/es/mesecvi/docs/Guia\\_Indicadores\\_BDP\\_ESP.pdf](http://www.oas.org/es/mesecvi/docs/Guia_Indicadores_BDP_ESP.pdf)

2. Although the Bahamas states that the Belém do Pará Convention was signed in 1995, it is noted that there is no information on the process or mechanism for incorporating the legal provisions of the Convention into the domestic law of the country. Even though there are such Convention provisions in the State law, there is no rule explicitly expressing what should be understood as "gender based violence".
  
3. Since the Second Round of Bahamas's Follow Up Report, there is a recommendation for incorporating the concept of gender violence, which has not yet been fully incorporated into the country's legislation. The country informed that the government is in the process of drafting a Gender-Based Violence Bill which defines gender-based violence "*as any physical, economic, or financial, emotional, verbal, or psychological, abuse against a person because of the person's gender or gender identification, whether or not constituting a criminal offence, etc*". It is important to note that, CEDAW Recommendation 35<sup>6</sup> of July 2017, imposes an obligation on States Parties to adopt in their domestic legislation prohibitions on all forms of gender violence against women and children, thereby harmonizing domestic laws with the UN Convention on the Elimination of All Forms of Discrimination against Women<sup>7</sup>, recommending the duty to ensure that all forms of gender-based violence in all spheres be it psychological, physical, sexual or psychological integrity violations are criminalized<sup>8</sup>.
  
4. In response to the indicators under the Third Round, the State has demonstrated that many elements contained in Belem do Para Convention have been incorporated in Bahamas legislation between 1924 and 2008:
  - The Sexual Offences (Amendment) Act, 2008<sup>9</sup>
  - The Trafficking in Persons (Prevention and Suppression) Act, 2008<sup>10</sup>
  - The Domestic Violence (Protection Order) Act, 2007<sup>11</sup>
  - The Child Protection Act, 2007<sup>12</sup>
  - The Justice Protection Act, 2006<sup>13</sup> – this legislation is not yet in force in its entirety
  - The Evidence Act, 1996<sup>14</sup>
  - The Sexual Offences Act, 1991 (Formerly the Sexual Offences and Domestic Violence Act, 1991)<sup>15</sup>
  - The Criminal Code (1924)<sup>16</sup>

<sup>6</sup> CEDAW, 2017, op. cit., p. 8.

<sup>7</sup> Available at: <http://www.un.org/womenwatch/daw/cedaw/cedaw.htm>

<sup>8</sup> CEDAW, 2017, op. cit., p. 10.

<sup>9</sup> [http://www.bahamas.gov.bs/wps/wcm/connect/35889589-ab0b-4d65-ab17-](http://www.bahamas.gov.bs/wps/wcm/connect/35889589-ab0b-4d65-ab17-e0fcd655f62a/Sexual+Offences+(Amendment)+Bill,+2009+-+Justification.pdf?MOD=AJPERES)

[e0fcd655f62a/Sexual+Offences+\(Amendment\)+Bill,+2009+-+Justification.pdf?MOD=AJPERES](http://www.oas.org/dil/Trafficking_In_Persons_Prevention_and_Suppression_Act_Bahamas.pdf)  
<sup>10</sup> [http://www.oas.org/dil/Trafficking\\_In\\_Persons\\_Prevention\\_and\\_Suppression\\_Act\\_Bahamas.pdf](http://www.oas.org/dil/Trafficking_In_Persons_Prevention_and_Suppression_Act_Bahamas.pdf)

<sup>11</sup> [http://laws.bahamas.gov.bs/cms/images/LEGISLATION/PRINCIPAL/2007/2007-0024/DomesticViolenceProtectionOrdersAct\\_1.pdf](http://laws.bahamas.gov.bs/cms/images/LEGISLATION/PRINCIPAL/2007/2007-0024/DomesticViolenceProtectionOrdersAct_1.pdf)

<sup>12</sup> [https://www.oas.org/dil/The\\_Child\\_Protection\\_Act\\_Bahamas.pdf](https://www.oas.org/dil/The_Child_Protection_Act_Bahamas.pdf)

<sup>13</sup> [http://www.ilo.org/dyn/natlex/natlex4.detail?p\\_lang=en&p\\_isn=74778&p\\_classification=01](http://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=en&p_isn=74778&p_classification=01)

<sup>14</sup> [http://www.vertic.org/media/National%20Legislation/Bahamas/BS\\_Evidence\\_Act\\_1996.pdf](http://www.vertic.org/media/National%20Legislation/Bahamas/BS_Evidence_Act_1996.pdf)

<sup>15</sup> [http://laws.bahamas.gov.bs/cms/images/LEGISLATION/PRINCIPAL/1991/1991-0009/SexualOffencesAct\\_1.pdf](http://laws.bahamas.gov.bs/cms/images/LEGISLATION/PRINCIPAL/1991/1991-0009/SexualOffencesAct_1.pdf)

<sup>16</sup> <http://www.wipo.int/edocs/lexdocs/laws/en/bs/bs022en.pdf>

5. The first two pieces of legislation referred above (a and b) are recognized for covering many issues concerning the prevention, punishment, and eradication of violence against women, but they do not cover them in their entirety. As for legislation b, there is the prediction of restitution to the victim, made by the author, which is a positive point for a further change of the status quo.
6. There are relevant domestic laws in the Bahamas punishing crimes of physical, psychological, and sexual violence, but not patrimonial. In addition to the fact that there is no law on patrimonial violence, there is also no law defining rape. Despite these Bahamas Government legislative omissions, there is a concise law section pertaining to the issue of gender violence.
7. The Trafficking in Persons (Prevention and Suppression) Act came into force in December 2008 and, together with other provisions of domestic law, is compatible with the Palermo Protocol. This law implements provisions of the protocol, in addition to aiming at the suppression, punishment and prevention of trafficking in persons, focusing on women and children. For women, it provides that restitution to be paid by the perpetrator<sup>17</sup>. However, there is no reference to forced prostitution, just as there is no State position on whether trafficking in persons is judged by the same or different form of forced prostitution<sup>18</sup>.
8. Although the country has not signed and ratified the Rome Statute, the State should be praised, as it demonstrates good faith and interest in implementing the necessary legislation to eradicate forced prostitution. Besides, it is also noted that there is a provision dealing with threat or use of forces, in addition to other forms of coercion<sup>19</sup>. An amendment to this law, held on December 10<sup>th</sup>, 2008, covered the protection of victims of violence, including migrant women and women with disabilities.
9. The CEVI recognizes the commitment of the country in the elaboration of the law to ensure the effectiveness of measures to protect women, relatives, and witnesses in cases of violence. On this, the "Trafficking in Persons (Prevention and Suppression) Act" has a specific section on this subject (PART II - ASSISTANCE AND PROTECTION FOR VICTIMS and PART III - PREVENTION OF TRAFFICKING IN PERSONS). It stipulates that there will be protection and assistance to victims and their identities, as well as to children who are victims of such violence. As witnesses, the law only refers to the obligation of "special programs shall be developed to accommodate child witnesses".

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<sup>17</sup> Section 6, Part II, The Trafficking in Persons Act: "Where a person is convicted of the offence of trafficking in persons the court may order that person to pay restitution to the victim"

<sup>18</sup> There is a provision on this subject in the Criminal Code, in its article 43, which states: "anyone who lives on proceeds from prostitution may be imprisoned for 6 months."

<sup>19</sup> Subsection 2 of Section 3, Trafficking in Persons Act:

[https://www.oas.org/dil/Trafficking\\_In\\_Persons\\_Prevention\\_and\\_Suppression\\_Act\\_Bahamas.pdf](https://www.oas.org/dil/Trafficking_In_Persons_Prevention_and_Suppression_Act_Bahamas.pdf)

10. In the country's legislation there is a good definition of sexual harassment (Sexual Act Offense, 1991 Section 26)<sup>20</sup>. However, the law provides for punishment exclusively in the workplace. The provisions of the legislation only deal with this environment, neglecting the issue in the field of health, education, or any other place. So, it is necessary for the country to promote efforts to increase the applicability of the legislation regarding the crimes of sexual harassment practiced in other fields.
11. Although there is no explicit criminalization of femicide in the Bahamas legal system, there are elements of death and homicide that adequately cover femicide. However, there is a need to distinguish between homicide and femicide, since legal provision explicitly punishes those who discriminate against women simply because they are women.
12. The country does not have specific legislation to criminalize violence committed against women by state institutions<sup>21</sup>, but there is reparation for injured women under the common law<sup>22</sup>. With this, there is no prevention to curb such State actions, but there is punishment when they occur.
13. There is no specific normative device that protects women's sexual and reproductive rights, especially in relation to abortion<sup>23</sup>. There is no indication of measures by the State that include rights established in the Belém do Pará Convention in national law. There is also no mechanism to criminalize obstetric violence, but the country suggests that this can be resolved by civil lawsuits and disciplinary actions against public officials and health professionals.
14. In general, there are advances in legislation, but there is an absence of specificity when dealing with gender violence, not delimiting important concepts (such as rape) and not extending to all environments the prohibition of sexual harassment<sup>24</sup>. The country is in the process of drafting a bill that defines gender violence, but it is still something in initial stage. In addition, it has not signed the Rome Statute, which prohibits all types of abortion and there is no provision for femicide.

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<sup>20</sup> **Sexual Offences Act, 26:** Any person who — (a) being a prospective employer importunes or solicits sexual favors from another person — (b) being in a position of authority over, or being a co-worker of, another person in any place of employment or any institution, importunes or solicits sexual favors from that other person under any holding out, promise or threat of the grant or imposition of any favor, benefit, advantage or disadvantage, as the case may be, at the place of employment or institution; or (c) importunes or solicits from a person in a position of authority in any place of employment or any institution, any favor, benefit or advantage, or the forbearance from the exercise of any right, power or duty relating to that authority under any holding out or promise of sexual favors, is guilty of the offence of sexual harassment.

<sup>21</sup> The Bahamas acceded to the Optional Protocol to the Convention on the Rights of the Child in September 2015, whereby the State party reaffirmed "that the rights of children require special protection and call for continuous improvement of the situation of children without distinction, as well as for their development and education in conditions of peace and security "in the context of an armed conflict.

<sup>22</sup> Information not found in legislation and not informed by country.

<sup>23</sup> Prohibited expressly by the legislation of Bahamas. Criminal Code, Section 294, 309 and 313.

<sup>24</sup> Prediction of Punishment for Crimes of Rape in the Following Legislative Provisions: Sections 6, 13, The Sexual Offenses; and Section 2, The Domestic Violence (Protection Order) Act.

15. The CEVI urges the country to participate more actively in the response to the indicators and to keep tackling violence against women through legislative implementation, especially through specific legislation.

**b) Basic Financial Background and Budget Commitments**

16. It was unclear in the responses of the second-round report on the existence of specific laws concerning authorization to the Bahamas government to develop budget plans and direct them to the public sector for the implementation of laws, programs or plans related to violence prevention against women<sup>25</sup>.

**c) State capabilities**

17. There is collaboration and dialogue between the Department of Gender, other government agencies and some NGOs in the promotion of women's rights and their right to a life free of violence, but nothing that is directly linked to the Belém do Pará Convention. There is no national institution to promote it, but there are specific campaigns for its adoption.

**NATIONAL PLANS – Articles 1, 2, 7 e 8, items c) and d) from Belém do Pará Convention**

**a) Formal component**

18. The country informs that a project has been developed<sup>26</sup> by the Ministry of Labor and Social Development that would last for 5 years, but the same has not yet been put into practice. The project attempts to change the situation in the country in a substantial way, since there is no National / Action / Strategy Plan to prevent, punish, and eradicate violence against women. According to the country, the National Strategic Plan for Gender-Based Violence addresses all forms of violence, committed against women and girls across the country. To date, the Department of Gender and Family Affairs has begun implementing activities in the Year 1 Implementation Plan (of the Strategic Plan to address Gender-Based Violence).

19. Also reports the country that there are training plans on violence against women<sup>27</sup>, but they are carried out only by legislators and court officials within the framework of the Belém do Pará Convention, not extending to other sectors of the civil service. Unfortunately, it does not tell when the training will begin. However, there is organized awareness - raising for all categories of people in the health system, social organizations, and the women's community based organizations. According to the State, the Department of Gender and Family

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<sup>25</sup> No national budget law exists. In 2016, the Cabinet approved \$ 2 million for the first year of the implementation plan of the national strategic plan to address Gender-based Violence.

<sup>26</sup> Not found on the official website of the government as well as the justification for its non-implementation.

<sup>27</sup> Not found on the official government website.

Affairs has launched a campaign targeting high school students on sexual harassment in February 2017 and will continue in the new school year<sup>28</sup>.

20. Civil society participation is encouraged by the country in the elaboration of projects to tackle violence against women, but there is no more information on how to operate, monitor, evaluate and execute these joint projects and to elaborate the activities within them. There are specific days in the country intended to tackle gender violence<sup>29</sup>.
21. The Bahamas reported that it did not enter into formal agreements with the media to disseminate the content of the Belém do Pará Convention, but there was a dialogue between the government and the media, benefiting the Gender Bureau and promoting the Convention.

#### **b) Basic Financial Background and Budget Commitments**

22. The percentage of the national budget allocated to programs to tackle violence against women is not known. However, according to the country in its response to the Third Evaluation Round, “The Department of Gender and Family Affairs, which has violence against women within its portfolio receives \$350,000 annually. The Ministry of Social Services provides annual grants to NGOs working on women’s rights and elimination of violence against women. The Bahamas Crisis Centre receives \$30,000 per annum; the Bahamas AME Conference receives \$20,000 per annum; the Roman Catholic Dioceses receives \$14,000 per annum; the Salvation Army receives \$10,000 per annum; All Saints Camp receives \$10,000 per annum; and the Red Cross receives \$60,000 per annum”<sup>30</sup>.
23. The CEVI understands that there is a difficulty in determining the exact amount of money allocated to programs in the National Budget<sup>31</sup>. It is necessary for the State party to have greater control and transparency regarding the specific capital that must be invested in tackling violence against women, ensuring the rights set forth in the Belém do Pará Convention.

#### **c) State capabilities**

24. There is no data available that can be used to assess the progress made in implementing national programs addressing violence against women.

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<sup>28</sup> The Department of Gender and Family Affairs launched a campaign to raise awareness about sexual harassment targeting high school students (about 35% female and 65% male)

<sup>29</sup> Awareness activities are held during annual bi-annual celebrations, including: International Women's Day, National Women's Week, International Day for the Elimination of Violence against Women, 16 Days of Activism to End Violence Based on Gender. These may include panel discussions, workshops, cultural events, presentations, media appearances by experts, articles or press releases in the country.

<sup>30</sup> According to the country, reports on budget allocation are available in hard copy and online.

<sup>31</sup> Percentage of program spending on “violence against women” is unknown, but \$ 2 million has been allocated for the implementation of the Strategic Plan to address Gender-Based Violence. Additional public bodies that receive funding include domestic violence and the Counseling Unit.

25. There are national plans, according to the State, which are drawn up jointly by the Ministries of Health, Education, Labor and Social Development, the HIV / AIDS Secretariat, and the Royal Bahamas Police Force, but these plans are not incisive, because they have a generalizing character and without specific points that are related to the theme of violence against women.
26. Positively, CEVI congratulates the country on the following advances: (i) creation of the Community Counseling and Assessment Center<sup>32</sup>; (ii) establishment of an emergency hotline (24 hours a day) to deal with reports of child abuse and family violence, and (iii) the development of a specialized program that allows victims to access prophylactic treatment. However, no mention is made of violence against women, lacking a more specific concern with the issue, in addition to the fact that the State has not indicated a specific period within which the assessment of the services by its users will happen.

**ACCESS TO JUSTICE – Article 7, items d) and f) article 8, items c) and d) of Belém do Pará Convention**

**a) Formal component**

27. The country did not respond to the indicator on whether there was an increase in the number of entities responsible for receiving complaints of violence against women.
28. Regarding the administrative provisions the State granted a satisfactory position, demonstrating that it has specialized officers in the public sector available to the police force to assist the victims. There is also a considerable amount of private space in the Sexual Crimes Unit to assist the victims. There is also an AGAPE room, located at Princes Margareth Hospital, which allows the victim of rape to be physically examined for physical and psychological treatment, demonstrating that there has been considerable progress on this issue.
29. There are national mechanisms for providing capital to cover the transportation of victims rescued; assistance to victims of domestic violence in accessing their belongings; obtaining medical treatment; security, and witness protection. However, there is no specificity in the responses of which mechanism is employed, just as there is no mechanism that provides the right of identity change of the victims. One positive point to note is the establishment of the Witness Care Programme<sup>33</sup>, which was opened by acting agents, the judiciary and civil society, aimed at protecting witnesses who collaborate in denouncing cases of violence against women.
30. The Domestic Violence Act provides a court hearing within two days of the complaint. However, there is no data collection in the country of the estimated time for the protection to be issued after the existence of this complaint. Even with The Domestic Violence Act, 2009 statistics that demonstrate the number and type of protection orders for women were not made available.

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<sup>32</sup> <http://www.src.phabahamas.org/ufs/users/d11acffd-5d21-4fe4-b202-40151e600e09/SRC%20Fee%20Schedule.pdf>

<sup>33</sup> [https://www.oas.org/dsp/espanol/trata\\_bahamas.html](https://www.oas.org/dsp/espanol/trata_bahamas.html)

31. In parallel, victim assistance protocols are available from the Royal Bahamas Police Force, The Social Services Division, The Prosecutors' Office, and the health care system. Persons physically and psychologically abused are received on a priority basis.
32. Finally, the country reported that there is no indigenous population in the Bahamas, but there is a large presence of Haitians in the territory, and it is necessary to know if the protocols of Haitian institutions are related to violence against women approach.

**b) Basic Financial Background and Budget commitments**

33. The Bahamas government provides free legal services for serious crimes, such as armed robbery and murder, but there is no specificity in legislation that refers to violations of women's rights. However, there is legal assistance to victims of sexual offenses through the Office of the Attorney General and legal services offered by the Eugene Dupuch Law School and the Bahamas Bar Association. Contrary to these aids offered to victims of violence, the State of the Bahamas has not set up the expansion of legal services in the last four years.

**c) State capabilities**

34. There is no assessment / study about the performance of judges and prosecutors regarding stereotypes, prejudices, myths, and customs that affect the judgment and whether magistrates use the personal history of the victim at the time of the sentence. Along with this, there is no answer and not even an assessment if judges and prosecutors use the Belém do Pará Convention in the trials - this is corroborated by the fact that the country has not yet internalized the Convention, not allowing greater control of what is available in the text of the document.
35. There is no awareness of the number of cases of violence against women who have been tried in the courts and the number of complaints of violence against women is not known, and the number of convictions for femicide in the State (there is no such crime in the country). Collecting data on these issues is precarious and is accepted as a challenge by the State party. According to the country, it is expected that NGOs will be included in the development of national protocols and policies to ensure an effective, integrated and coordinated criminal justice system that would prevent the escalation of GBV - as recommended in the National Strategic Plan<sup>34</sup>.
36. Information was requested on the existence of agencies to receive complaints, contacts, and locations, but the State only informed the existence of: The Royal Bahamas Police, the Ministry of Health and the Department of Labour.

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<sup>34</sup> The National Strategic Plan incorporates the concept of violence to address GBV, in accordance with international norms - including the Belém do Pará Convention.

## **INFORMATION AND STATISTICS – Article 8, item h) of Belém do Pará Convention**

### **a) Formal component**

37. There was no assessment / research / study by the State regarding the issue of violence against women and the implementation of the Belém do Pará Convention in the country. The absence of data collection is an alarming situation. There are provisions that are present in the Domestic Violence law to support the collection of data on the subject<sup>35</sup>.
38. There is no state position regarding the investigation of violence against women in recent years. Only two surveys were reported: (i) one conducted by the College of the Bahamas<sup>36</sup> as well as the occurrence of this type of domestic violence in the homes of university students and the relation that these occurrences have with animal cruelty; (ii) the other one refers to the study carried out by the Ministry of Education and the Crisis Center<sup>37</sup> on the incidence of bullying in primary schools.
39. In recent years, there has been no periodically conducted surveys on violence against women, women's understanding of their rights, and women's familiarity with public aid services when they are victims of violence.

### **d) Basic Financial Background and Budget commitments**

40. There is no information available on the budget for the collection and study of information and statistics.

### **e) State capabilities**

41. There was a greater effort in collecting data on victim assistance after the undertaking of the crime, since there is a record of expenditures in this regard. However, for police stations, prosecutors and other entities receiving complaints from women, the cost was zero dollars.
42. Benefiting from transparency and access to information, the Royal Bahamas Police Force maintain public records held by the Bahamas on [www.royalbahamaspolice.org](http://www.royalbahamaspolice.org), demonstrating national crime figures, including complaints of domestic violence.
43. However, there is no mechanism / body compiling national statistics on the violation of women's rights. Not having such coordinating and analytical

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<sup>35</sup> Article 29 of the Domestic Violence (Protection Orders) Act, assigns responsibility to the Ministry with responsibility for social services to study, investigate and publish “statistics and other relevant reports on the problem of domestic violence in the Bahamas, their causes, manifestations and scope; the consequences and the options to confront and eradicate it, in conjunction with the Bahamas Police Force”

<sup>36</sup> <http://ufdc.ufl.edu/AA00012380/00001>

<sup>37</sup> <https://crisiscentrebahamas.wordpress.com/2014/01/21/sexual-harassment/>

measures on statistics on this topic translates as an inability of the State to collect and disseminate information pertaining to gender violence.

### **Conclusions**

44. After all these reviews, it is perceived that the country understands that gender violence against women should be tackled. The CEVI congratulates the country on the various efforts made in several areas to overcome this difficulty. In the legislation, we note the enactment of laws in the last years that give greater importance to the problem (even if they do not have such specificity), as well as treating the victims with greater care, especially in their protection and punishment of the aggressors. These are major advances recognized by the CEVI.
45. As two major milestones, the amendment of The Sexual Offenses (Amendment) Act and the promulgation of The Trafficking in Persons (Prevention and Suppression) Act are significant in tackling violence against women. Many law-related issues need to be improved, with a view to increase access to justice and extending the crimes to spouses who are protected by law. Abortion is still prohibited and there is no prediction of femicide or a concept of gender violence. These are worrying situations that show that the country must fight for changes in this direction.
46. It was clear that the absence of data collection with a good division and cataloging contributes to the State's omission to guarantee the rights of gender. With a well-organized collection, being publicly available for consultation, the decision-making process to address the problems related to violence against women will be given in a more corresponding way with the reality, contributing to a better assessment of the state's actions towards this theme.
47. It is shown that the Bahamas State has normative devices that ensure the rights of women but these do not do so completely and are not located under a single cover. Since 2011, the Committee, in its first Follow-up Report<sup>38</sup>, suggested the States Party to elaborate Comprehensive Laws that establish common principles and assist in coordinating different actors in generating public policies, access to justice, research, and the compilation of data and statistics.
48. The Bahamas has not fully incorporated the Belém do Pará Convention in domestic law. In its first Recommendation<sup>39</sup> the Committee urged the States Parties to amend the legal framework to bring it into line with the definition of violence against women established in the Belém do Pará Convention.

### **Recommendations**

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<sup>38</sup> MESECVI (2008). first Hemispheric Report on the implementation of the Belém do Pará Convention. <http://www.oas.org/en/mese cvi/docs/InformeHemisferico2008-EN.pdf>

<sup>39</sup> MESECVI (2012), Secon Hemispheric Report. Recommendation No. 1: Amend and/or harmonize the legal framework concerning the prevention and punishment of violence against women to bring it into line with the definition of violence against women established in articles 1 and 2 of the Belém do Pará Convention.

49. The Bahamas must internalize the Belém do Pará Convention and explain how this internalization process will take place.
49. As a matter of urgency, the State must make efforts to use the provisions of the Belém do Pará Convention until it is internalized.
50. Create a specific law that delimits the concept / understanding of violence against women.
51. Legally define "rape" in its domestic legislation.
52. Make compatible internal order with the Rome Statute guidelines.
53. Protect women's sexual and reproductive rights, especially abortion.
54. Criminalize obstetric violence and provide for criminal punishments against public officials and health professionals (not just civilians).
55. Criminalize femicide.
56. Criminalize the patrimonial violence suffered by women.
57. Legislate on "forced prostitution". The legislation should be more specific than that dealing with trafficking in persons.
58. Criminalize the rape of women in marriage or in a stable union, since the legal text in the country does not explicitly prohibit it.
59. Legislate on sexual harassment in different environments, since the State only complies with the prohibition of harassment in the workplace.
60. Create a specific law for violations of gender rights committed by State institutions, since the State only punishes for violations, but do not prevent them.
61. Creation of a permanent national plan / action / strategy to prevent, punish and eradicate violence against women.
62. Put into practice the National Plan of Action, ideally by the Ministry of Labor and Social Development, which was prepared to operate for 5 years, but has not yet been implemented.
63. Specify the theme of gender violence in the plans prepared by the Ministries of Education, Health, Labour, and Social Development, as well as by the Secretariat for HIV / AIDS and the Royal Bahamas Police Force, since such plans are not sufficiently incisive.
64. Extend training plans on violence against women, which were only offered to lawmakers and law enforcement officials.

65. Provide data on monitoring, assessment and execution of projects that are built together with civil society, enabling the improvement of such projects.
66. Create formal agreements with the media, aiming to disseminate the contents provided in the Belém do Pará Convention.
67. Enable the creation of new institutions to support access to justice for victims and witnesses.
68. Provide bureaucratic mechanisms for the victim to be able to change their identity.
69. Expand the database that shows the average time between a complaint reported by the victim and the issuance of protection granted by the Judiciary, making this database available for public consultation.
70. Extend the service at the Royal Bahamas Police Force, Social Services Division, Prosecutors Office, for other categories of violation, beyond physical and psychological.
71. Elaborate surveys and assessments on how magistrates use stereotypes / preconceptions / myths / customs and the personal history of the victim at the time of the sentence.
72. Create shelters for victims of gender violence.
73. Promote legal services with a greater specificity to the issue of gender violence.
74. Evaluate public policies on violence against women, specially the legal services rendered, making possible the decision making for the improvement of such services.
75. Develop strategies and mechanisms that can determine in a concise way the percentage of the national budget allocated to programs to tackle violence against women.
76. The amount of invested capital should be tabulated into categories, showing the amount and percentage attributed to each plan and each sector.
77. Develop and conduct, on a more regular basis, surveys, and information on the topics: violence against women, women's understanding of their rights and women's familiarity with public assistance services when they are victims of violence.
78. Establish a state body to coordinate national statistics on violations of women's rights, collecting and disseminating information on gender-based violence.
79. Make effective the provisions of the Domestic Violence Law that support the collection of data about gender violence.