



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

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**Committee on the Elimination of Discrimination
against Women**

**Consideration of reports submitted by States parties under
article 18 of the Convention on the Elimination of All Forms
of Discrimination against Women**

**Combined initial, second, third and fourth periodic reports of
States parties**

Bahamas*

* The present report is being issued without formal editing.





The Commonwealth of the Bahamas:

**Combined initial, second, third and fourth periodic reports to the
Convention on the Elimination of All Forms of Discrimination
against Women**

(1993-2006)

Islands of the Bahamas



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II. Introduction

1. The Government of the Commonwealth of the Bahamas appreciates the opportunity to submit its State report which incorporates the initial, second, third and fourth periodic reports, in accordance with article 18 of the Convention on the Elimination Of All Forms of Discrimination Against Women (hereinafter referred to as the Convention), and which also addresses any substantial progress which has been achieved since its implementation.
2. The Convention was adopted by the United Nations General Assembly on 18 December 1979 after the conclusion of thirty years of work by the United Nations Commission on the Status of Women, which was established in 1946 to address the inability of women throughout the international community to achieve parity in economic, social, cultural, civil and other fields. The Convention came into force on 3rd September 1981 in agreement with article 27(1).
3. The Convention was ratified by the Commonwealth of the Bahamas on the 6th October 1993. Through its ratification of the Convention, the Commonwealth of the Bahamas affirmed its intention to develop an inclusive social order in the country which recognizes the need to improve the legal status of women in all aspects of daily life, and to enable greater participation of women in the development of the Bahamas.

III. Reporting process

4. This report represents the initial State report submitted by the Government of the Commonwealth of the Bahamas and its subsequent State reports (second, third and fourth) which were not submitted as required by article 18 of the Convention. The Government of the Bahamas developed this State report to contextualize its Government's efforts which have been employed since its ratification of this Convention. The structure and substance of this report adheres to the guidelines approved by the CEDAW Committee on 5 May 2003 (HRI/GEN/2/Rev.1/Add.2). This report reflects the position in the Bahamas as at 30th June, 2009.
5. The Government of the Bahamas failed to submit its State reports due to the following unforeseen circumstances:
 - A. The Government of the Bahamas encountered significant hardships regarding its technical and human resource capacity, which impeded its ability to fulfill all of its international obligations. As a Small Island Developing State (SIDS) which has evolved into a responsible member of the international community, the Government of the Bahamas has had to contend with improving its governance capability domestically and internationally while maintaining constant vigilance to substantial developmental concerns which can significantly affect the quality of life of persons in the country.
 - B. Although the Government of the Bahamas established a governmental entity responsible for promoting the development of Women in the Bahamas in 1981, it did not evolve into an integral governmental agency until 1995 when the Government of the Bahamas created the

Bureau of Women's Affairs (BWA). Since that time, the BWA has become the primary agency responsible for ensuring that women in the Bahamas have been empowered to contribute to all aspects of national development.

IV. Reservations to the Convention

6. The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) was ratified by the Commonwealth of the Bahamas on the 6th October 1993 with the following reservations:

“The Government of the Commonwealth of the Bahamas does not consider itself bound by the provisions of article 2(a), ...article 9, paragraph 2, ...article 16(h), ...[and] article 29, paragraph 1, of the Convention.”ⁱ

7. In accordance with Article 18, paragraph 1(a), of the CEDAW Convention, the Commonwealth of the Bahamas hereby submits its initial, second, third and fourth periodic reportsⁱⁱ to the Secretary General of the United Nations for consideration by the Committee on the Elimination of All Forms of Discrimination Against Women (hereinafter referred to as the Committee).

V. Structure of this State Report

8. This State report is divided into two sections. Section one consists of general information that covers the demographic, social, economic and political situation of the Bahamas. Section two examines each article of the Convention exclusively so that the Government of the Bahamas can convey specific information on the measures which are currently employed in the country. The Government of the Bahamas intends to provide clarity for the Committee on achievements and obstacles encountered during its advancement of women's rights in the country.

Section A. General Information on the Commonwealth of the Bahamas

I. Introduction

9. The Government of The Commonwealth of the Bahamas has reviewed the updated technical requirements of this Convention pertaining to its domestic laws, national policies and constitutional requirements and would like to assert that it recognizes that the Bahamas has virtually fulfilled its obligations regarding providing sufficient protections against all forms of discrimination against women.

10. Protections of fundamental human rights enshrined in the Bahamas Constitution apply equally to men and women though separate constitutional provisions concerned with the transfer of nationality from parent to children and to the award of nationality to foreign born spouses of Bahamian citizens accord privileges to Bahamian men that are not afforded to Bahamian women. Constitutional discrimination notwithstanding, successive Governments have developed and implemented gender-neutral policies with regard to access to education, health, and social services and to employment. Women are prominently evidenced in all professions in the Bahamas.

11. The Government of the Bahamas would like to posit that its domestic legislation regarding the ability of its citizens, both men and women to transmit their nationality requires substantial changes, as the Constitution of the Bahamas does not explicitly address the fundamental rights for all citizens to transmit their nationality. While gender neutral, legislation strengthening Family and Child Protection laws, enhancing Sexual Offences and Domestic Violence legislation and removing the law of primogenitor with regard to inheritance, have been seen as especially targeted to promote the equality of women in society.

12. Going forward, the intent of the Government of the Bahamas is to develop sufficient safeguards and protections to enable all individuals in the country equal rights in all dimensions. The Government of the Bahamas intends to reaffirm its faith in equal and fundamental rights for all of its citizens, as Bahamian Governments long ago recognized that its people are its most important asset.

II. Land and people

Location

13. The Commonwealth of the Bahamas, is a mid-ocean archipelago. These islands comprise 700 islands and 2,400 cays which extend for almost 760 miles from the coast of Florida on the northwest almost to Haiti on the south-east. However, only thirty of the islands are considered inhabited. In regards to size, the Commonwealth of the Bahamas is slightly larger than Jamaica, or slightly smaller than the U.S. state of Connecticut.

14. The capital of the Bahamas is Nassau, which is located on the island of New Providence. New Providence is the eleventh largest island in the Bahamian archipelago that developed into the capital due to its protection from the other surrounding islands, coral reefs, and shallow banks reducing the risk of destruction caused by hurricanes and other potential disasters. New Providence's historic status as the country's 'most developed island' served as the primary location of governmental activities; which became and remains the national hub within the Bahamas.

Land

15. The Bahamas (area: 5,358 sq. miles/ 13,878 sq. km) is the most northern of the Caribbean chain of islands, located between latitudes 20°-27° North and 72°-79° West. The islands of the Commonwealth of the Bahamas are mostly flat and consist of coral formations. However, the outermost eastern islands on the Atlantic Ocean are characterized by hilly terrain. The highest point is Mount Alvernia, located on Cat Island, rising 206 feet above sea level.

16. The Bahamas has a subtropical maritime climate. Temperatures usually vary between a high of 90° Fahrenheit during summer months and a low of 60° Fahrenheit during winter months. Humidity is relatively high, especially during the summer months. The Bahamas records more than seven hours of sunlight each day in New Providence and daylight varies from 10 hours and 35 minutes in late December to 13 hours and 41 minutes in late June. Rain showers occur throughout the year, however the rainy season is between the months of May through October. The northern islands experience an

average of 20 per cent more rainfall than the southern islands. Fortunately for the Bahamas, rainfall is mainly in the form of heavy showers which dissipate quickly.

Language

17. The official language of the Commonwealth of the Bahamas is English. There is also a Bahamian dialect of English that is spoken by most Bahamians. Although English is the primary language, other languages are spoken in the Bahamas. Among the Haitian community, the Chinese community and the Spanish-speaking community, local languages are widely spoken so that they preserve ties to their respective countries and cultures. Languages such as Spanish, French, German and Chinese are also taught in schools at the tertiary levels to prepare students for interaction with the global economy and the international community.

III. Population details of the Bahamas

Population Statistics

18. The population of the Commonwealth of the Bahamas, which was 303,611 at the time of the 2000 Census, is now estimated to be 338,300: 164,800 males and 173,500 females for 2008. The Government of the Commonwealth of the Bahamas expects that by 2010 the population would have increased to 346,900 – an increase of approximately 2.5 per cent from 2000. By 2030 the population is expected to have increased by 22.8 per cent over the 2000 census to 426,300 persons.

19. The population of the Commonwealth of the Bahamas is still a relatively young one with slightly more than one quarter (25.99 per cent) under the age of 15. This figure represents a decline under the 2000 proportion of 29.38 per cent. Persons 65 years of age and over increased their share of the population from 5.24 per cent in 2000 to 5.82 per cent in 2008.

Table 1 – All Bahamas Projected Mid-Year Population by Age and Sex - '000

AGE GROUP	2000			2005			2008		
	TOTAL	MALE	FEMALE	TOTAL	MALE	FEMALE	TOTAL	MALE	FEMALE
ALL AGES	303.60	147.60	156.00	325.20	158.00	167.20	338.30	164.80	173.50
0-4	29.10	14.60	14.50	28.60	14.60	14.00	29.00	15.00	14.00
5-9	31.60	16.00	15.60	29.30	14.70	14.60	28.20	14.30	13.90

10-14	28.50	14.10	14.40	31.40	15.80	15.60	30.70	15.40	15.30
15-19	26.40	13.30	13.10	28.30	13.90	14.40	30.30	15.00	15.30
20-24	25.00	12.30	12.70	26.00	13.00	13.00	26.90	13.20	13.70
25-29	27.10	13.20	13.90	25.00	12.20	12.80	25.30	12.50	12.80
30-34	26.30	12.70	13.60	27.60	13.30	14.30	26.40	12.80	13.60
35-39	26.10	12.60	13.50	26.80	12.80	14.00	27.90	13.40	14.50
40-44	21.20	10.10	11.10	26.20	12.60	13.60	26.70	12.80	13.90
45-49	16.00	7.70	8.30	21.10	10.00	11.10	24.50	11.80	12.70
50-54	12.10	5.80	6.30	15.80	7.60	8.20	18.80	9.00	9.80
55-59	10.20	4.80	5.40	11.60	5.50	6.10	13.60	6.50	7.10
60-64	8.10	3.80	4.30	9.50	4.40	5.10	10.30	4.80	5.50
65-69	5.90	2.70	3.20	7.20	3.30	3.90	8.10	3.70	4.40
70-74	4.10	1.70	2.40	5.00	2.20	2.80	5.60	2.50	3.10
75-79	2.60	1.00	1.60	3.10	1.20	1.90	3.40	1.40	2.00
80+	3.30	1.20	2.10	2.70	.90	1.80	2.60	0.70	1.90
Median Age	27	26	28	29	28	30	30	29	31
Percent									
0-4	9.58	9.89	9.29	8.79	9.24	8.37	8.57	9.10	8.07
5-14	19.80	20.39	19.23	18.67	19.30	18.06	17.42	18.02	16.83
15-49	55.37	55.49	55.26	55.66	55.57	55.74	55.57	55.52	55.62
15-64	65.38	65.24	65.51	67.00	66.65	67.34	68.19	67.84	68.53
65 and Over	5.24	4.47	5.96	5.54	4.81	6.23	5.82	5.04	6.57

Source: Department of Statistics

Composition of heads of household

20. The 2000 Census revealed that there were 88,107 households throughout the Bahamas, and it was estimated that in 2007 there were 106,460 households – an increase of approximately 21 per cent. Throughout the Commonwealth of the Bahamas 62,240 households indicated that a male was considered the head of their household, which represented approximately 60 per cent of the total number of households. Conversely, 41,215 households responded that a female was considered the head of their household, which represented approximately 40 per cent of the total number of households. New Providence recorded 71,600 total households, of which 58.47 per cent were headed by males and 41.5 per cent of households were headed by females. Statistics further revealed that the number of households headed by women is growing at a faster pace than those headed by men.

21. Table 2* in the annex of this State report highlights the distribution of households by income group and the sex of the head of the household, and table 3* exhibits pertinent information regarding household income.

Table 4 - Households and Household Income: All Bahamas, New Providence and Grand Bahama: 2007

Island	Number of Households	Total Household Income B\$	Mean Household Income B\$	Median Household Income B\$
All Bahamas	103,455	4,678,325,000	45,221	36,000
New Providence	71,600	3,429,412,500	47,897	40,000
Grand Bahama	15,975	651,837,500	40,804	32,400

Source: Department of Statistics

* Annex to the present report is available in the files of the Secretariat.

Ethnic composition/Population distribution

22. The Bahamian society exhibits similar characteristics as other Anglo-Caribbean countries, which all share similar historical experiences. Like many other countries within the Caribbean, Bahamian society was initially made up of two main racial groupings – blacks and whites. Historically, the racial pyramid indicated that blacks occupied the broad base, the coloured/mixed people, the middle and the whites the apex. The distinct ethnic minorities which can still be found throughout the Bahamian society have roots which have existed from the early 19th Century, and have been assimilated into the Bahamian society for almost one hundred years. Bahamian society is defined by a remarkable array of people from different regions of the world, which have come together to develop Bahamian society and Bahamian culture from the early 1800's until the late 1950's. Bahamian society can be divided into six distinct racial groups that have assimilated to develop the Bahamas. These racial/ethnic groups are Whites, Blacks, Greeks, Chinese, and Lebanese.

23. As a small State which has developed into a responsible member of the international community, the Commonwealth of the Bahamas has never been able to advocate to any aspects of ethnocentrism. The Bahamas was developed by various ethnic and racial groups, and Bahamian society was cultivated through the assimilation of various groups such as the English Loyalists, enslaved Africans, freed slaves, Americans, and entrepreneurs of Greek, Chinese, and Lebanese extraction.

24. All groups that migrated or came to the Bahamas were assimilated into Bahamian society, and have infused aspects of their respective cultures into Bahamian society to develop a uniquely Bahamian society which embraces all persons. For a Small Island Developing State (SIDS), the Bahamas has a wealth of social diversity which has enabled the Bahamas to attempt to establish itself as one of the most open societies in its region.

25. Table 5 in the Annex of this State report illustrates the population growth of the Bahamian islands between the Censuses of 1970 and 2000. Eleven islands experienced a decline in population during the period, two islands experienced increases in its population, while one island exhibited the same population for the census years 1970 and 2000. The Bahamas has concentrated population patterns, i.e. the population is widely and unevenly dispersed throughout the Bahamian archipelago. Because the Bahamian islands are not contiguous, the uneven distribution appears greater as the people are dispersed among numerous islands and cays.

26. The largest island of the Commonwealth of the Bahamas, Andros accounts for almost 43 per cent of the land area of the Bahamian archipelago and only represented 2.5 per cent of the population in 2000. In contrast, New Providence, the capital of the Bahamas, accounts for a mere 1.5 per cent of the land area but accommodated over 69 per cent of the people in 2000. The two major islands of New Providence and Grand Bahama represented approximately 85 per cent of the country's total population.

Table 6 - Land Area and Density of Population by Island, 2000 Census

ISLAND	POPULATION	AREA SQ. MILES	POPULATION PER SQ. MILE	AREA SQ. KM	POPULATION PER SQ KM
ALL BAHAMAS	303611	5382	56	13943	22
NEW PROVIDENCE	210832	80	2635	207	1018
GRAND BAHAMA	46994	530	89	1373	34
ABACO	13170	649	20	1681	8
ACKLINS	428	192	2	497	1
ANDROS	7686	2300	3	5959	1
BERRY ISLANDS	709	12	59	31	23
BIMINIS	1717	9	191	23	74
CAT ISLAND	1647	150	11	389	4
CROOKED ISLAND	350	93	4	241	1
ELEUTHERA	7999	187	43	484	17
EXUMA AND CAYS	3571	112	32	290	12
HARBOUR ISLAND AND SPANISH WELLS					
SPANISH WELLS	3166	13	244	34	94
INAGUA	969	599	2	1552	1
LONG ISLAND	2992	230	13	596	5
MAYAGUANA	259	110	2	285	1
RAGGED ISLAND	72	14	5	36	2
SAN SALVADOR & RUM CAY	1050	93	11	241	4

Source: Department of Statistics

27. New Providence has a population density of 2,635 persons per square mile, therefore, the entire island can be considered as an urban centre. Freeport, Grand Bahama is the only other urban area within the Bahamas and has a population density of 89 persons per square mile. These two urban areas account for 11.3 per cent of the Bahamian land mass and account for over 85 per cent of the population. The country's population, therefore, can be considered as 85 per cent urban and 15 per cent rural.

28. The Government of the Bahamas has no recent records of the distribution of population by race or ethnic group, as such data has not been collected on any of the major administrative forms nor were they collected in the decennial census of population and housing or the periodic surveys undertaken.

29. As previously noted, Blacks comprise the majority of the Bahamas' ethnic make-up. This includes native-born Bahamians and other nationals of black-African origin such as those from the African continent, the Caribbean, and, especially, those persons from Haiti, whose nationals constitute the largest minority (documented and undocumented) ethnic group in the archipelago, accounting for slightly over 7 per cent of the population.

30. The Department of Statistics provided data that highlights the countries of origin for persons throughout the Bahamas. Although this does not indicate racial/ethnic characteristics, it does help to understand the diversity found throughout the population of the Bahamas. Table 7 in the Annex of this State report provides information on the population by citizenship. According to the results of the 2000 Department of Statistics Census report, Bahamians (this incorporates all ethnicities) accounted for just over 87 per cent of the inhabitants, with Haitians (7%), as mentioned above, accounting for the second largest group represented. North Americans accounted for 1.9 per cent and citizens from all other Caribbean countries represented just over 1.7 per cent of the population.

IV. Socio-economic data on the Bahamas

The Bahamian economy

31. Although the Commonwealth of the Bahamas has been characterized as a SIDS, The Government of the Bahamas has worked assiduously to ensure that all persons throughout the Bahamas are empowered to achieve high levels of human development. Bahamians have become accustomed to a high quality of life due to the salient characteristics of the Bahamas. In 2008, the Bahamas recorded a per capita income of US\$18,660 ranking it as one of the top three countries with the highest per capita income in the western hemisphere. In 2008, the Bahamas' economy was estimated to be valued over US\$6 billion and growing.

32. Between the years 2000 to 2006 the Bahamian economy experienced growth in its GDP at current market prices. Estimates for the annual rate of GDP growth are outlined in table 8 below.

Table 8 - Annual Rate of GDP Growth 2002-2007

Year	Growth of GDP (%)
2001	2.55
2002	5
2003	2.28
2004	2.49
2005	5.96
2006	4.2

Source: Department of Statistics

33. The Bahamian economy is dominated by services, of which tourism accounts for two-thirds of all economic activity followed by financial services, along with comparatively small inputs from the agricultural and industrial sectors.

34. The geographic features of the Bahamian archipelago are natural magnets for the Bahamian tourism industry. The Bahamas is said to have some of the clearest waters in the world. Its beaches and the marine environment have attracted visitors to the Bahamas even prior to the development of tourism as a major industry within the Bahamian economy. Tourism has become essential to the Bahamian economy over the past fifty years. In 1950, the Bahamas recorded 40,000 visitors and this number had swelled to 4.6 million in 2007. Over the years, the Bahamian tourism industry has grown in leaps and bounds accounting today for just over 40 per cent of the Bahamian GDP. Both tourism and financial services are characterized by the provision of high quality service to all persons regardless of racial, ethnic, cultural, gender and religious differences. Therefore, as large sections of the Bahamian population are involved in these industries, they have become accustomed to interacting with a diverse group of persons from throughout the international community.

35. For many years, people throughout the international community have recognized the Bahamas as synonymous with tourism. In fact, the Bahamas' reputation as a highly rated tourism destination is well documented throughout international surveys. In 2003, the Bahamian Tourism industry total economic contribution was estimated at \$2.8 billion, which represented 51 per cent of the Bahamian GDP. In terms of employment in the Bahamas, the tourism industry employs 97,383 people or 63 per cent of all jobs throughout the Bahamas. Accordingly, tourism generated approximately \$1.6 billion in local wages or 61 per cent of all wages in the Bahamas. In fact, as the Bahamas is a small country, industries not directly involved in tourism benefit substantially on an indirect basis. The Ministry of Tourism and Aviation reports on tourism's effect on the Bahamian economy indicated that nearly 25 per cent of business services sales, or \$343 million, is generated by tourism activity; and nearly 21 per cent of construction sales, or \$84 million was generated by tourism activity in 2007.

Social indicators

36. The following social indicators for the Bahamas in table 9 below highlight important socio-economic improvements in the development of Bahamian society over the past twenty-five years.

Table 9 – Social Indicators of Development

	The Bahamas		LAC
	15 - 20 years ago	2004	2004
UNDP Human Development Index	n.a.	0.844	0.839
Crude Birth Rate (per. 1,000)	24.5	18	23
Crude Death Rate (per. 1,000)	6	5.3	7
Infant Mortality (per. 1,000)	31.1	15.8	30
Life Expectancy at Birth (years)	68.1	73.9	70
Physicians per. 1,000 population	0.9	2.3	1.6
Gross Enrolment Ratio: Primary school	98.5	97	113
Illiteracy Rate (% of population over 15 years)	6.6	4.2	13
Women: % of total labour force	43.4	47.8	34.6
Per capita GDP (US\$)	8,820	16,592	3,600

Source: Inter-American Development Bank, IDB Country Strategy with the Commonwealth of the Bahamas (2003-2007). p. 10

Employment statistics

Table 10 – Main Labour Force Indicators 1996-2000

	1996	1997	1998	1999	2000
Labour Force	146,635	149,915	156,470	157,640	164,675
Employed Labour Force	129,765	135,255	144,355	145,350	153,310

Unemployed Labour Force	16,870	14,660	12,115	12,290	11,365
Unemployment Rate	11.5	9.8	7.8	7.8	6.9
Female Unemployment Rate	14.7	11.3	9.6	9.7	7.1
Male Unemployment Rate	8.6	8.3	5.9	6	6.8
Participation Rate	73.7	74.9	77.3	76.8	76.2
Female Participation Rate	68.2	70.5	73	70.9	71.1
Male Participation Rate	79.8	79.4	82.4	83.1	81.7

Source: Department of Statistics

37. The unemployment rate for the Bahamas in 2007 increased by 0.3 per cent from 2006 to 7.9 per cent; the unemployment rate was 6.7 per cent for men and 9.1 per cent for women, which indicated a 1.6 per cent and a 1.1 per cent increase respectively over the previous year. The Labour Force Participation Rate for the Bahamas was 76.2 per cent for 2007, which was an increase of 1.1 per cent over the previous year.

38. In 2007, the Employed Labour Force of the Bahamas revealed that 68 per cent of workers were engaged in private sector activities, 19 per cent were employed in the civil service, and the remaining 13 per cent of workers were self-employed.

Table 11- Key Labour Force Statistics 1997-1999, 2001-2007

ITEM	1997	1998	1999	2001	2002	2003	2004	2005	2006	2007
Total Labour Force										
All Bahamas	149,915	156,470	157,640	164,675	167,980	173,795	176,330	178,705	180,255	186,105
New Providence	104,315	111,370	113,240	117,900	119,700	123,380	123,380	128,630	127,090	131,105
Grand Bahama	22495	22,200	23,900	25,055	25,190	26,350	26,465	27,305	27,445	28,850
Employed Labour Force										
All Bahamas	135,255	144,355	145,350	153,310	152,690	154,965	158,340	160,530	166,505	171,490
New Providence	93,465	103,270	104,440	109,770	108,225	108,685	111,725	114,660	118,575	120,675
Grand Bahama	20,535	20,090	21,625	23,345	23,580	24,050	24,000	24,305	25,155	26,310
Unemployed Labour Force										
All Bahamas	14,660	12,115	12,290	11,365	15,290	18,830	17,990	18,175	13,750	14,615
New Providence	10,850	8,100	8,800	8,130	11,445	14,695	13,660	13,970	8,515	10,430
Grand Bahama	1,960	2,100	2,275	1,710	1,610	2,300	2,465	3,000	2,290	2,540

Labour Force Participation Rate										
All Bahamas	74.9%	77.3%	76.8%	76.2%	76.4%	76.5%	75.7%	76.3%	75.1%	76.2%
New Providence	75.5%	78.3%	77.7%	78.1%	77.6%	78%	77.5%	77.5%	79.7%	77.1%
Grand Bahama	74.9%	73%	75.3%	75.2%	74.4%	76%	74.7%	74.7%	74.6%	76.8%
Unemployment Rate										
All Bahamas	9.8%	7.8%	7.8%	6.9%	9.1%	10.8%	10.2%	10.2%	7.6%	7.9%
New Providence	10.4%	7.3%	7.8%	6.9%	9.6%	11.9%	10.9%	10.9%	6.7%	8%
Grand Bahama	8.7%	9.6%	9.5%	6.8%	6.4%	8.7%	9.3%	11%	8.3%	8.8%

Source: Department of Statistics

39. In 2007, the Employed Labour Force of the Bahamas revealed that 68 per cent of workers were engaged in private sector activities, 19 per cent were employed in the civil service, and the remaining 13 per cent of workers were self-employed.

Table 12 - Employed Persons By Sex and Employment Status: 2007

Employment Status	Total		Women		Men	
	N	%	N	%	N	%
Employee (Gov. or Govt. Corp)	31,895	19	19,320	24	12,575	14
Employee (Private Business)	116,735	68	56,470	69	60,265	67
Self-Employed	22,330	13	5,780	7	16,550	18
Unpaid Family Worker	315	"neg"	225	"neg"	90	"neg"
Not Stated	215	0	90	0	125	0
Total	171,490	100	81,885	100	89,605	100

Source: Department of Statistics

40. Tables 13 and 14 below from the Department of Statistics shows that men dominated most industrial groups while women dominated in wholesale, hotels and related fields, finance and community, social services industries, Men dominated in agriculture, mining, manufacturing, construction and transportation.

Table 13 – Employed Persons By Sex and Industrial Group: All Bahamas 2007

Industrial Group	Total		Women		Men	
	N	%	N	%	N	%
Agriculture, Hunting, Forestry & Fishing	3,940	2	200	0	3,740	4
Mining, Quarrying, Electricity, Gas & Water	2,965	2	635	0	2,330	3
Manufacturing	6,420	4	2,370	3	4,050	5
Construction	21,340	12	1,415	2	19,925	22
Wholesale & Retail	24,885	15	12,050	15	12,835	14
Hotels & Restaurants	27,410	16	15,880	19	11,530	13
Transport, Storage & Communication	13,275	8	3,960	5	9,315	10
Financing, Insurance, Real Estate & Other Business Services	20,175	12	12,210	15	7,965	9
Community, Social & Personal Services	50,690	30	33,020	40	17,670	20
Not Stated	390	"neg"	145	0	245	"neg"
Total	171,490	100	81885	100	89,605	100

Source: Department of Statistics

Table 14 – Employed Persons By Sex and Occupational Group: All Bahamas 2007

Occupational Group	Total		Women		Men	
	N	%	N	%	N	%
Legislators & Senior Officials	16,685	10	7,215	9	9,470	11
Professionals, Technicians & Associate Professionals	33,200	19	21,020	26	12,180	14
Clerks	21,490	13	18,005	22	3,485	4
Service Workers & Shop Market Sales Workers	33,265	19	18,860	23	14,405	16
Skilled Agricultural and Fishery Workers	3,475	2	60	"neg"	3,415	4
Craft and Related Workers. Plant and Machine Operators and Assemblers	34,390	20	3,410	4	30,980	35
Elementary Occupations	28,110	16	12,905	16	15,205	17
Not Stated	875	1	410	1	465	1
Total	171,490	100	81885	100	89,605	100

Source: Department of Statistics

41. The Government of the Bahamas has become the country's largest employer (there are currently 20,000 civil servants in the Bahamas and 11,895 persons employed with government corporations), which enhances social policies designed by the Government to improve equality for all persons throughout the country. As the country's largest employer, the Government of the Bahamas ensures that all persons throughout the Bahamas are able to obtain employment with the government regardless of racial/ethnic, gender, religious or other perceived differences.

V. General political structure

Type of Government

42. The Governor-General is the Queen's representative in the Commonwealth of the Bahamas. As a former British Colony, the Commonwealth of the Bahamas decided that it would retain the English monarch as its Head of State.

The Executive

43. The Executive branch consists of a Cabinet of at least nine members, including the Prime Minister and the Attorney-General. All Ministers are required to be Members of Parliament, the Prime Minister and the Minister of Finance must be members of the House of Assembly and up to three Ministers can be appointed from among the Senators.

The Governor-general

44. The Governor-General, who is appointed and serves at Her Majesty's pleasure, signs bills into law after they are passed by the House of Assembly and the Senate, opens Parliament, and gives the annual Speech from the Throne, as prepared by the Prime Minister. Like the Queen, the Governor-General never presents any personal views or opinions. The Governor-General plays an instrumental role in ensuring that the continuity of the government's organizational structure permits the Government of the Bahamas to function efficiently.

The Prime Minister

45. The Prime Minister is responsible for the daily governance of the Bahamas, and is the highest government official in the Cabinet and within the Bahamian governments organizational structure. The Prime Minister is appointed by the Governor-General after the results from a general election have been determined. As the Bahamas is a democracy, the party who wins the highest number of electoral votes is empowered to establish the new administration. However in the event that neither political party commands a clear majority, the Constitution clearly indicates the procedure which must be followed. The Constitution of the Bahamas states that the Governor-General appoints the member of the House of Assembly who is the leader of the party which commands the support of the majority of members of that House. In the event that neither political party has an undisputed leader, or no party commands

the support of the majority in the House of Assembly, the Governor-General must appoint the person in his judgment who is most likely to command the support of the majority of the members in that House.

The Cabinet

46. The Cabinet of the Commonwealth of the Bahamas represents the Executive Branch of the Government, and comprises representatives of the Bahamian Government who are responsible for developing and implementing governmental policy. The Cabinet consists of the Prime Minister and not less than eight other Ministers. The table below details the present composition of the Cabinet of the Commonwealth of the Bahamas:

Table 15 -The Government of the Commonwealth of the Bahamas-Cabinet Members
2008

Portfolio	Name
Prime Minister and Minister of Finance	The Rt. Hon. Hubert Alexander Ingraham
Deputy Prime Minister and Minister of Foreign Affairs	The Hon. T. Brent Symonette
Minister of National Security	The Hon. O.A. T. (Tommy) Turnquest
Attorney General and Minister of Legal Affairs	Senator the Hon. Michael L. Barnett
Minister of Education	The Hon. Carl W. Bethel
Minister of Housing	The Hon. A. Kenneth Russell
Minister of the Environment	The Hon. Earl D. Deveaux
Minister of Public Works and Transport	The Hon. Neko C. Grant
Minister of Agriculture and Marine Resources	The Hon. Lawrence S. Cartwright
Minister of Health	The Hon. Dr. Hubert A. Minnis
Minister of State in the Ministry of Youth, Sports and Culture	The Hon. T. Desmond Bannister
Minister of Labour and Social Development	Senator the Hon. Dion A. Foulkes

Minister of Tourism and Aviation	Senator the Hon. Vincent Vanderpool-Wallace
Minister of State for Finance and Public Service	The Hon. Zhivargo S. Laing
Minister of State for Lands and Local Government	The Hon. Byran S. Woodside
Minister of State for Immigration	The Hon. W.A. Branville McCartney
Minister of State for Culture	The Hon. Charles T. Maynard
Minister for State in the Ministry of the Environment	The Hon. Phenton O. Neymour
Minister of State in the Ministry of Labour and Social Development	The Hon. Loretta R. Turner

The Legislature

47. The bicameral, or two-house, legislative branch consists of the Senate and the lower House of Assembly. They are physically located in Parliament Square in downtown Nassau.

48. The House of Assembly which was established in 1729 makes the laws of the Bahamas. It must consist of at least thirty-eight elected representatives of the people. There are currently forty-one members in Parliament who serve five-year terms, unless the Prime Minister dissolves the House before that time. This number may be increased on the recommendation of the Constituencies Commission, which is charged with reviewing electoral boundaries at least every five years.

49. The Senate has sixteen members, nine appointed by the Governor-General on the advice of the Prime Minister, four members on the advice of the Leader of the Opposition and three members on the advice of the Prime Minister after consultation with the Leader of the Opposition. This arrangement provides for the political balance in the Senate to be reflective of the House of Assembly.

The Judiciary

50. English Common law forms the foundation of the Commonwealth of the Bahamas' judicial system, even though there is a large volume of Bahamian statute law. The Bahamian judicial system comprises the following Courts of Justice:

51. Her Majesty's Privy Council: The highest tribunal in the Commonwealth of the Bahamas is the Judicial Committee of the Privy Council in London, England, which occupies the apex of

the Bahamian Judicial system. The Judicial Committee of the Privy Council serves as the ultimate Court of Appeal in all matters where an appeal is permitted.

52. The Court of Appeal: Is the second highest court in the Bahamas. The Court of Appeal consists of a President, the Chief Justice who, as head of the judiciary is an ex officio member of the Court and sits at the invitation of the President, and not less than two and not more than four Justices of Appeal. To qualify as a Justice of Appeal one must either hold or have previously held a judicial office. The Court has jurisdiction to hear and determine appeals from judgments, orders and sentences made by the Supreme Court. The Court of Appeal also has jurisdiction to hear and determine appeals from matters in a magisterial court in respect of indictable offences triable summarily on the grounds that –

- (i) the court had no jurisdiction or exceeded its jurisdiction in the matter;
- (ii) the decision was unreasonable, could not be supported by the evidence or was erroneous in point of law;
- (iii) the decision of the magistrate or the sentence passed was based on a wrong principle;
- (iv) some material illegality occurred affecting the merits of the case; or
- (v) the sentence was too severe or lenient.

53. The Supreme Court: The Supreme Court consists of a Chief Justice and not more than eleven and not less than two Justices of the Court. The Chief Justice is appointed by The Governor-General on the recommendation of the Prime Minister after consultation with the Leader of the Opposition. Justices of the Supreme Court are appointed by The Governor-General on the advice of the Judicial and Legal Service Commission.

54. Magistrates' Court: These are summary courts. There are seventeen (17) Magistrates Courts in the Bahamas: fourteen (14) in New Providence; two (2) in Freeport, Grand Bahama; and one (1) in Eight Mile Rock, Grand Bahama.

55. With reference to the other Bahamian islands, appointed administrators exercise jurisdiction in minor criminal matters of a less serious nature and civil matters involving amounts not exceeding B\$400. There are also Justices of the Peace (lay magistrates) that are appointed to hear minor offences in New Providence.

VI. General legal framework within which women's rights are protected

56. The Constitution of the Bahamas provides significant protections for women against virtually all forms of discrimination, and also provides a favorable environment for women to enjoy equal rights and full empowerment in the country. The Bahamian Constitution provides

for equal protection for all persons throughout the Commonwealth of the Bahamas and maintains a thoroughly balanced governmental structure to administer these protections.

57. The Commonwealth of the Bahamas' Independence Order of 1973 establishes that, "The Constitution of the Commonwealth of the Bahamas is the supreme law of the Commonwealth of the Bahamas and, subject to the provisions of this Constitution, if any other law is inconsistent with this Constitution, the Constitution, shall prevail and the other law shall, to the extent of the inconsistency, be void."

58. The Constitution of the Commonwealth of the Bahamas speaks to matters relating to fundamental human rights throughout the Commonwealth of the Bahamas in Chapter III of the Constitution (articles 15-27). The Constitution addresses the following areas of human rights: (1) Fundamental rights and freedoms of the individual, (2) Protection to right of life, (3) Protection from inhumane treatment, (4) Protection from slavery and forced labour, (5) Protection from arbitrary arrest or detention, (6) Provisions to secure protection of law, (7) Protection for privacy home and other property, (8) Protection of freedom of conscience, (9) Protection of freedom of expression, (10) Protection of freedom of assembly and association, (11) Protection of freedom of movement, (12) Protection from discrimination on the grounds of race, etc., (13) Protection from deprivation of property; and (14) Enforcement of fundamental rights.

59. Recognition of the entitlement to human rights and fundamental freedoms is contained in article 15 of the Constitution which provides that, "Whereas every person in the Bahamas is entitled to the fundamental rights and freedoms of the individual, that is to say, has the right, whatever his race, place of origin, political opinions, colour, creed or sex, but subject to respect for the rights and freedoms of others and for the public interest, to each and all of the following, namely -

- a) life, liberty, security of the person and the protection of the law;
- b) freedom of conscience, of expression and of assembly and association; and
- c) protection for the privacy of his home and other property and from deprivation of property without compensation,

the subsequent provisions of this Chapter shall have effect for the purpose of affording protection to the aforesaid rights and freedoms subject to such limitations of that protection as are contained in those provisions, being limitations designed to ensure that the enjoyment of the said rights and freedoms by any individual does not prejudice the rights and freedoms of others or the public interest"

60. The Constitution of the Commonwealth of the Bahamas affords all persons a constitutional right to apply to the Supreme Court of the Bahamas in the event that their human rights have been violated. Article 28 of the Constitution states that, "...any person alleges that any of the

provisions of Articles 16 to 27 (inclusive) of this Constitution has been, is being or is likely to be contravened in relation to him then, without prejudice to any other action with respect to the same matter which is lawfully available, that person may apply to the Supreme Court for redress.”

61. Article 28 (2) of the Constitution of the Commonwealth of the Bahamas establishes that in the event of any human rights violations, the Supreme Court of the Bahamas has original jurisdiction to (a) hear and determine any application made by any person in pursuance of paragraph (1) of article 28; and (b) to determine any question arising in the case of any person which is referred to it in pursuance of paragraph (3) of article 28.

62. For any issues pertaining to human rights infringements throughout the legal system of the Bahamas, article 28 (3) of the Constitution has established that, “If, in any proceedings in any court established for the Bahamas other than the Supreme Court or the Court of Appeal, any question arises as to the contravention of any of the provisions of the said Articles 16 to 27 (inclusive), the court in which the question to the Supreme Court.”

Existing legislation enforced in the Bahamas which provide protection for women

63. Domestic: The Parliament of the Bahamas from time to time enacts legislation to enhance the social and economic wellbeing of the people and to strengthen respect for the dignity of the individual. Examples of such legislation enacted include: (1) Acquisition of Land Act, Ch. 252, (2) Administration of Estates Act, Ch. 108, (3) Adoption of Children Act, Ch. 131, (4) Affiliation Proceedings Act, Ch. 133, (5) Bail Act, Ch. 103, (6) Capital Punishment (procedure) Act, Ch. 94, (7) Children and Young Persons (Administration of Justice) Act, Ch. 97, (8) Computer Misuse Act, Ch. 107A, (9) Copyright Act, Ch. 323, (10) Court of Appeal Act, Ch. 52, (11) Criminal Justice (International Co-operation) Act, Ch. 105, (12) Criminal Law (Measures) Act, Ch. 101, (13) Criminal Procedure Code, Ch. 91, (14) Education Act, Ch. 46, (15) Emergency Powers Act, Ch. 34, (16) Emergency Relief Guarantee Fund Act, Ch. 35, (17) Employment Act, Ch. 321A, (18) Evidence Act, Ch. 65, (19) Execution of Documents (Handicapped Persons) Act, Ch. 67, (20) Extradition Act, Ch. 96, (21) Geneva Conventions (Supplementary) Act, Ch. 95, (22) Genocide Act, Ch. 85, (23) Guardianship and Custody of Infants Act, Ch. 132, (24) Habeas Corpus Act, Ch. 63, (25) Health and Safety at Work Act, Ch. 321C, (26) Immigration Act, Ch. 191, (27) Industrial Property Act, Ch. 324, (28) Industrial Relations Act, Ch. 321, (29) Inheritance Act, Ch. 116, (30) International Child Abduction Act, Ch. 137, (31) Ionizing Radiation (Workers Protection) Act, Ch. 319, (32) Juries Act, Ch. 59, (33) Listening Devices Act, Ch. 90, (34) Magistrate’s Act, Ch. 54, (35) Maintenance of Emigrants Children Act, Ch. 128, (36) Maintenance Orders (Facilities for Enforcement) Act, Ch. 127, (37) Parliamentary Elections Act, Ch. 7, (38) Preliminary Inquiries (Special Procedure) Act, Ch. 92, (39) Proceeds of Crime Act, Ch. 93, (40) Riots (Claims Tribunal) Act, Ch. 185, (41) Status of Children Act, Ch. 130, (42) Supreme Court Act, Ch. 53, (43) Transfer of Offenders Act, Ch. 102; and (44) Wills Act, Ch. 115, Sexual Offences Act and the Domestic Violence (Protection Orders) Act.

64. International: The Bahamas is a State party to the following International Humanitarian Law and Other Related Treaties: (1) Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field (2) Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea, (3) Geneva Convention Relative to the Treatment of Prisoners of War, (4) Geneva Convention Relative to the Protection of Civilian Persons in Time of War, (5) Additional Protocol to the Geneva Conventions of 12 August 1949, and Relating to the Protection of Victims of International Armed Conflicts, (6) Additional Protocol to the Geneva Conventions of 12 August 1949, and Relating to the Protection of Victims of Non-International Armed Conflicts, (7) Convention on the Rights of the Child, (8) Convention of the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxic Weapons and on their Destruction, (9) The Ottawa Treaty, (10) Inter-American Convention on Mutual Assistance in Criminal Matters, (11) United Nations Convention Against Transnational Organized Crime and the Protocols Thereto (The Protocol to prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, the Protocol Against The Smuggling of Migrants by Land, Sea and Air; and the Protocol Against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition), (12) Comprehensive Nuclear Test Ban Treaty, (13) ILO Convention 5, Minimum Wage, (14) ILO Convention 7, Minimum Age (Sea), (15) ILO Convention 11, Right of Association (Agriculture), (16) ILO Convention 12, Workmen's Compensation (Agriculture), (17) ILO Convention 14, Weekly Rest (Industry), (18) ILO Convention 17, Workmen's Compensation (Accidents), (19) ILO Convention 19, Equality of Treatment (Accident compensation), (20) ILO Convention 22, Seamen's Articles of Agreement, (21) ILO Convention 26, Minimum Wage-Fixing Machinery, (22) ILO Convention 29, Workmen's Compensation (Occupational Diseases), (23) ILO Convention 50, Recruiting of Indigenous Workers, (24) ILO Convention 64, Contracts of Employment (Indigenous Workers), (25) ILO Convention 65, Penal Sanctions (Indigenous Workers), (26) ILO Convention 81, Labour Inspection, (27) ILO Convention 88, Employment Services, (28) ILO Convention 94, Labour Clauses (Public Contracts), (29) ILO Convention 95, Protection of Wages, (30) ILO Convention 97, Migration for Employment, (31) ILO Convention 105, Abolition of Forced Labour, (32) ILO Convention 111, Discrimination (Employment and Occupation), (33) ILO Convention 117, Social Policy, (34) ILO Convention 144, Tripartite Consultation (International Labour Standard), (35) ILO Convention 147, Merchant Shipping (Minimum Standards), (36) ILO Convention 185, Seafarers' Identity Documents (Revised); and (37) ILO Maritime Labour Convention.

65. The Bahamas has become a signatory of the following International Humanitarian Law (IHL) instruments: (1) Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction, Opened for Signature at Paris on 13th January 1993 (not yet ratified) and (2) Inter- American Convention Against Terrorism (2002).

66. Additional International Obligations: The Government of the Commonwealth of the Bahamas has also committed itself to improving conditions throughout the international community, and has signed/ratified/acceded to the following multi-lateral treaties: (1) Inter-

American Treaty of Reciprocal Assistance (Rio Treaty), (2) the Convention on the Prevention and Punishment of Crimes Against Internationally Protected persons, Including Diplomatic Agents, (3) Convention for the Suppression of Unlawful Seizure of Aircraft, (4) International Convention for the Suppression of the Financing of Terrorism, New York, (5) Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, Montreal, (6) Convention on Offences and Certain Other Acts Committed on Board Aircraft, (7) International Convention Against the taking of Hostages adopted by the United Nations General Assembly, (8) The Council of Europe Convention on the Transfer of Sentenced Persons, (9) Treaty Banning Nuclear Weapon Tests in the Atmosphere and in Outer Space and Underwater, (10) Treaty for the Prohibition of Nuclear Weapons in Latin America (Tlatelolco Treaty) Opened for Signature at Mexico City, (11) Treaty on Principles Governing the Activities of States in the Exploration and use of Outer Space including the Moon and other Celestial bodies, (12) Treaty on the Non-Proliferation of Nuclear Weapons, (13) Convention on the Prohibition of the Use of Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction, (14) Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction 1972, (15) Inter-American Convention Against Illicit Traffic, Manufacturing of and Trafficking in Firearms, Ammunition, Explosives and other Related Material 1997, (16) Treaty on the Prohibition of the Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Sea Bed and the Ocean Floor and In the Subsoil Thereof, (17) Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space including the Moon and Other Celestial Bodies, (18) Treaty Banning Nuclear Weapon Tests in the Atmosphere in Outer Space and Underwater, (19) IAEA Convention on Physical Protection of Nuclear Material, (20) ICAO Protocol for Suppression of Unlawful Acts of Violence at Airports Serving International Aviation Supplementary to the Convention for the Suppression of Unlawful Acts Against Safety of Civil Aviation, (21) International Convention for the Suppression of Terrorist Bombings; and (22) Convention on the Marking of Plastic Explosives for the Purpose of Detection.

Proposed domestic legislation

67. The Government keeps under review the reform and enhancement of existing legislation and the enactment of new laws so as to remain in the forefront of countries advocating the advancement of human rights practices internationally. The Government of the Bahamas has under active review legislation to improve the provisions of law relating to: the administration of justice, protection and guardianship of children, education, health insurance, improved protection for the handicapped, emergency relief assistance, land and estate administration, industrial relations, and immigration.

International human rights instruments

68. Ensuring human rights protection for all persons has become an essential aspect of the Bahamas developing into a country with a high level of human development. The Government of the Bahamas and the international community shares a common vision on improving human

capabilities throughout the country. Therefore, in order to establish the Bahamas as a country of high human development the Government of the Bahamas has ratified or acceded to the following human rights instruments:

- (1) The International Convention on the Prevention and Punishment of the Crime of Genocide. (1975)
- (2) The International Convention on the Elimination of All Forms of Racial Discrimination. (1975)
- (3) Convention on the prevention of the Crime of Genocide Adopted by the General Assembly of the United Nations on 9th December 1948. (August 1975)
- (4) Convention on the Nationality of Married Women, New York 20th February 1957. (1976)
- (5) Slavery Convention Signed at Geneva on 25th September 1926 and Amended by the Protocol Done at the Headquarters of the United Nations, New York on 7th December 1953. (1976)
- (6) Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institution and practices Similar to Slavery, Done at Geneva on 7th September 1956. (1976)
- (7) International Agreement for the Suppression of White Slave Traffic Signed at Paris on 18th May 1904 and Amended by the protocol Signed at Lake Success New York on 4th May 1949. (1976)
- (8) Convention on the Political Rights of Women, New York 31st March 1953. (1977)
- (9) International Convention on the Suppression and Punishment of the Crime of Apartheid Adopted by the General Assembly of the United Nations on 30 November 1973. (March 1981)
- (10) International Convention Against Apartheid in Sports Adopted by the General Assembly of the United Nations on 10th December 1985. (November 1986)
- (11) Convention on the Rights of the Child Adopted by the General Assembly of the United Nations on 20th November 1989. (1991)
- (12) The Convention on the Rights of the Child. (1991)
- (13) The Convention on the Elimination of All Forms of Discrimination Against Women Adopted by the General Assembly of the United Nations. (1993)
- (14) Convention Relating to the Status of Refugees, Geneva on 28th July 1951. (1993)

(15) Protocol Relating to the Status of Refugees, New York 31st January 1967. (1993)

(16) Hague Convention of 25th October 1980 on the Civil Aspects of Child Abduction. (1993)

(17) Amendment to Article 8 of the International Convention on the Elimination of All Forms of Racial Discrimination (adopted at the Fourteenth Meeting of the States Parties to the Convention on 15th January 1992) (March 1994)

(18) Inter American Convention on the Punishment and Eradication of Violence Against 'Women Convention of Belem do Para' (May 1995)

69. Although the Government of the Bahamas has not ratified all of the necessary international human rights instruments to ensure it has achieved a comprehensive human rights environment, it has begun to consider augmenting its human rights environment with two additional human rights instruments which were ratified by the international community. The Government of the Bahamas has become a signatory to, but not yet ratified the International Covenant on Civil and Political Rights along with the International Covenant on Economic, Social and Cultural on 1st December, 2008. The Government of the Bahamas is confident that once the two additional Covenants become apart of Bahamian domestic legislation, the Bahamas will attain a more enhanced human rights environment which can establish an enabling environment for all persons throughout the country.

Remedies for violations against equal protections for women in the Bahamas

70. The Constitution of the Commonwealth of the Bahamas: Chapter 3 (articles 15-27) of the Constitution of the Commonwealth of the Bahamas articulates the 'Fundamental rights and Freedoms of the Individual' which serves as the Bahamas' Bill of Rights, in which basic freedoms are protected. As the Bahamas achieved Independence on 10th July 1973, the Government of the Bahamas created its Constitution based upon the Bill of Rights employed throughout the United Kingdom, and also implemented similar measures as found in the Universal Declaration of Human Rights, which were adopted and proclaimed by the United Nations General Assembly Resolution 217A (III) of 10th December 1948. Therefore, the Constitution of the Commonwealth of the Bahamas has implemented a universally accepted human rights benchmarks throughout its Constitution in hopes of avoiding any human rights violations throughout the country.

71. The Privy Council: As with most Commonwealth Countries, the Privy Council of the British House of Lords, specifically, its Judicial Committee is the supreme judicial body for most countries which were once apart of the British Empire. Although numerous Caribbean countries have decided to replace the Privy Council as the final judicial body with the Caribbean Court of Justice (CCJ), the Government of the Commonwealth of the Bahamas has decided to continue to employ the Privy Council as its supreme judicial authority.

72. The Courts: The Bahamas has not established a separate court to address Constitutional matters or any violations on human rights which are enshrined in the Constitution of the Commonwealth of the Bahamas. Although there is no separate court for human rights issues, the Supreme Court of the Bahamas has the jurisdiction to adjudicate on matters involving human rights.

Constitutional provisions which protect women in the Bahamas

73. Education: In its bid to ensure equality in relation to access to education for all Bahamians, the Education Act by virtue of Section 22(3) provides that no pupil who has attained the age of sixteen (16) shall be required to leave any maintained school, unless he is incapable of benefiting from the types of education and instruction available. The language of the law is not yet gender sensitive to include references to he/she, however domestic legislation is in place which protects the rights of women in the Bahamas. Further, Section 23 places a responsibility on parents to secure the education of their children and to secure regular attendance at school.

74. Employment: In the case of employment, the Bahamas Employment Act 2001 has made great provisions for both sexes and emphasizes special provisions for women. The Employment Act 2001 has provided increased maternity leave benefits, from eight to twelve weeks; established equal pay for equal work; granted parental leave; established minimum wages and addressed unfair dismissal. See table 16 in the Annex of this State report.

75. Health: There are several legal provisions that regulate the health services. Health care is generally provided to all citizens. However, traditional gender roles and cultural practices ascribed to women, the major responsibility for health of the family. The focus of health services is therefore mainly on women. The Bahamas is currently making efforts to encourage men and young boys to take greater interest in their health through programmes such as the Male Health Initiative. Efforts are also being made to allow greater access to health care, especially reproductive health. As a result, Family Life and Health Education (FLHE) are taught in most schools and the Adolescent Reproductive Health Programme is helping to re-socialize teenagers, especially males, about the responsibility of parenting.

Legal and other remedies for women who are victims of discrimination

76. If the discriminatory practice is one that is protected by the Constitution, the woman can appeal to the Supreme Court, which decides upon the constitutionality or otherwise of the act. Women can also seek legal redress from other government bodies or departments, such as the Police, depending on the form of discrimination.

77. Other remedies for women who are victims of discrimination include the soliciting of help and support from local women's Non-Governmental Organizations (NGOs); seeking counseling from specialized social groups and churches; as well as appealing to human rights institutions.

State machineries dealing with specific legal issues

78. Consistent with its international obligations, the Government of the Bahamas has attempted to protect the fundamental rights and freedoms of all its citizens. It has taken special steps to prevent discrimination against women and young girls in fulfillment of its obligations under this Convention. To this end, legislation has been passed, amended or repealed, to facilitate the drive towards a more gender sensitive and gender-equitable society.

79. The BWA is the Government/ State Machinery mandated to ensure that the rights of women are legally and otherwise protected. The BWA has led active educational campaigns with the public, including local women's NGOs, on relevant legislation as well as on other issues that impact women. The Child Protection Act, 2006 was passed after extensive public consultations along with the Domestic Violence (Protection Orders) Act 2007.

80. The BWA has also played an integral role in coordinating the national public awareness campaign on Trafficking in Persons (TIP) which is an emerging issue in the Caribbean. This has included participating in national delegations to international meetings on this issue as well as public education and making presentations to NGOs and other agencies that requested information. Given a high level of public interest on human trafficking, the collaboration with other agencies has been quite strong. As the majority of cases of human trafficking are related to the sexual exploitation of women and girls, the BWA has been an active member of the national committee on Trafficking in Persons and will continue to collaborate with relevant agencies both nationally and internationally, as part of its commitment to address the challenges that face the women of the Bahamas.

81. The BWA has also spearheaded consultations on proposed changes to the Constitution as part of its public education programme to raise awareness of the public and especially women, about the persistent gender inequalities in the Constitution with a view to guiding the revision of the Constitution as well as to develop gender-sensitive policies, programmes and strategies to correct them. The work of the BWA is supported by government bodies such as the Domestic Violence Unit of the Royal Bahamas Police Force (RBPF), civil society organizations and international organizations.

Functions of Non-Governmental Organizations related to the protection of women's rights

82. There are well established NGOs in the Bahamas which span from local community groups to prestigious international non-governmental organizations advocating specific themes that address international concerns. The Government of the Bahamas appreciates any contributions or suggestions which may be put forward by any NGO that can contribute to the social improvement of persons throughout the country. The Government of the Bahamas has begun to encourage the development of civil society throughout the country as a means to improve the social contract between its populace and its government.

83. In 2005 the Government of the Bahamas established the Non-Governmental Organizations Act, 2005 to provide for the establishment and registration of non-governmental organizations. The Government of the Bahamas looks forward towards developing a more synergetic relationship with all NGOs as a means to improve all aspects of life throughout the country. There are numerous NGOs that assist the BWA and the government to carry out their mandate to promote the rights of women. The NGOs which are registered in the Bahamas are: (1) Abilities Unlimited, (2) Amnesty International, (3) Andros Christian Ministries, (4) Association For Educational Progress In The Bahamas, (5) B.F.A. National Development Programme, (6) Bahamas Aids Foundation, (7) The Bahamas Association For Retired Persons, (8) Bahamas Association for Social Health (BASH), (9) Bahamas Association For The Physically Disabled, (10) Bahamas Chinese Benevolent Association, (11) Bahamas Council on Alcoholism, (12) Bahamas Historical Society, (13) Bahamas Family Planning Association (BFPA), (14) Bahamas Mental Health Association, (15) The Bahamas National Council For Disability, (16) The Bahamas National Pride Association, (17) The Bahamas Red Cross Centre for the Deaf, (18) Bahamas Reef Environmental Educational Foundation (BREEF), (19) Cancer Association of Grand Bahama, (20) Candlestick Outreach Center, (21) Chance Foundation, (22) The Children's Emergency Hostel, (23) Church Women's Organizations, (24) Civil Society Bahamas, (25) Columbus House, (26) Council for Women in the Bahamas, (27) Crisis Centre, (28) The Dave Burrows Youth & Family International, (29) Dean William Granger Centre, (30) Developing Alternatives for Women For A New Era (DAWN), (31) Disabled Person's Organization Limited, (32) Drug Action Service, (33) Educational Assistance Organization, (34) Freeport Volunteer Emergency Aid Association, (35) Good Samaritan Senior Citizens, (36) Grand Bahama Children's Home, (37) Grand Bahamas Human Rights Association, (39) Great Commission Ministries International, (39) Hands For Hunger, (40) Haven, (41) The Heal Our Land Family Crisis Center, (42) Helping Hands, Touching Hearts, (43) Hopedale Centre, (44) Institute For Mentally Retarded, The, (45) Institute For The Arts, (46) International Association Of Administrative Professionals Bahamas Chapter, (47) Kiwanis Club Of Freeport Grand Bahama, (48) Kiwanis Club of Lucaya Grand Bahama, (49) Lady Darling Heritage Foundation Of The Bahamas And Americas, The, (50) Lions Club Of Freeport, (51) Marriage Keepers International, (52) Mary Ingraham Care Centre, (53) Narcotics Anonymous, (54) Nassau Christian Service Council, (55) Nazareth Centre, The, (56) Persis Rodgers Home for the Aged, (57) Project Hope (Bahamas), (58) Project Read Bahamas, (59) Ranfurly Home for Children, (60) Red Cross, The, (61) ReEarth, (62) Resources and Education for Autism and Related Challenges (REACH), (63) Rosetta House, (64) Rotary International, (65) Salvation Army, (66) The Sandilands Hospital's Welfare Committee, (67) Senior Citizens Centre, (68) Sister Sister (Breast Cancer) Support Group, (69) Special Olympics Bahamas, (70) St. Andrew's School Foundation, (71) St. John's University Alumni Association, (72) Teen Challenge, (73) The Association Of International Banks & Trust Companies In The Bahamas, (74) The Bahamas Council On Alcoholism, (75) The Bahamas Debutante Foundation, (76) The Bahamas Diabetic Association, (77) The Bahamas Hemophilia Foundation, (78) The Chance Foundation, (79) The Lyford Cay School Association, (80) The Nassau Institute, (81) The National Organization Of Women's Associations In The Bahamas (NOWAB), (82) The Scottish Bahamian Society; and (83) Training Centre for the Disabled, (84) Women In Ministry.

VII. Information and publicity

84. Information regarding the human rights environment throughout the Bahamas is easily available to any individual or organization. The Government of the Bahamas perceives that it is essential that all persons throughout the Bahamas and especially the international community are informed and knowledgeable on the environment of human rights which have been developed for every individual throughout the country. Information is provided through seminars, workshops, and public education through the print and electronic media, campaigns, public speaking and the distribution of printed material.

85. Copies of the Constitution of the Commonwealth of the Bahamas can be found throughout the Bahamas' educational facilities, libraries, the Department of Archives, the Department of Government Publications, the Ministry of Legal Affairs and private institutions. Copies of the Constitution of the Commonwealth of the Bahamas are also available on the internet through the Government of the Bahamas' websites (The central government website, <http://www.bahamas.gov.bs>). The Government of the Commonwealth of the Bahamas has also made its Constitution available to any person throughout the international community on its websites which can be accessed anywhere and by anyone with internet service. The Government of the Bahamas has instructed each Ministry, Department and Agency to establish a website with pertinent information to improve the ease at which persons can obtain essential information.

86. The Government of the Bahamas has also devised alternate means to improve public awareness of human rights issues which are enforced throughout the Bahamas. The Government established the Bahamas Information Services (BIS) in 1974, which operates as a quasi-government department BIS has been delegated as the primary entity responsible for the dissemination of information on the activities and policies of the Government of the Commonwealth of the Bahamas. BIS has three sections in its organizational structure, so that each department is responsible for public awareness campaigns through particular mediums; the sections are (1) Press and Publications Section, (2) Broadcasting Section, and (3) Information Technology Section.

87. As public awareness regarding social issues throughout the Bahamas is essential to developing responsible and well-informed citizen, the Government of the Bahamas enabled the deregulation of radio throughout the Bahamian archipelago so that private entities along with the Bahamian Government could develop all forms of media to improve public awareness throughout the Bahamas. Presently there are numerous talk-show hosts and programs designed to stimulate discourse on issues of national importance that need to be addressed through input from all segments of society.

88. The Government of the Bahamas established a television channel which is dedicated to providing all individuals throughout the Bahamas with access to its Parliamentary debates and proceedings in hopes of improving social awareness throughout the Bahamas. The channel was also established to encourage active participation by individuals or groups in debating the

development characteristics of the Commonwealth of the Bahamas. The Parliamentary channel is considered a basic cable station, meaning that each day persons who have not subscribed to cable television can still access the Government's Parliamentary channel.

89. Information regarding the Convention, along with other instruments, treaties, and agreements that the Government of the Commonwealth of the Bahamas has entered into is available online to all persons throughout the international community, and especially throughout the Bahamas at the Ministry of Foreign Affairs Website (<http://mfabahamas.org>). In order to improve public awareness, the Government of the Bahamas disseminates its State report through various mediums, as it is critical to obtain suggestions and feedback from persons and entities involved in representing the Government of the Bahamas.

Media involvement

90. The media is consistently invited to cover events organized to promote women's human rights. These events include: the International Women's Day (March 8) and the International Day Against Violence Against Women (November 25). They routinely cover occasions such as seminars, public lectures and provide airtime for radio and television debates. These help to increase public awareness of the rights of women and the measures adopted for the protection of those rights.

State reports

91. As indicated earlier in this State report, the Bahamas has committed itself to numerous conventions and international instruments. The country is therefore required to provide periodical progress reports on the implementation of these conventions. Preparation of this first CEDAW report has been made possible by several ministries and organizations in what can be termed a national participatory effort. The University of the West Indies (U.W.I.) Centre for Gender and Development Studies, Mona Campus was also instrumental in the preparation of the report. The United Nations Population Fund (Jamaica) contracted the services of U.W.I. to assist with the preparation of the report. The BWA distributed various Articles and sections to the relevant Ministries/Departments/Agencies to facilitate data collection. Additional research was done and the information compiled to prepare this report. A validation workshop was held with stakeholders to review the report prior to its submission.

International reports

92. The Government of the Bahamas has enabled two instrumental reports to be developed as a means to analyze and comprehend the salient characteristics of the population of the Bahamas. The reports which were established were: (1) The Bahamas Living Conditions Survey (2001) and (2) The International Organization of Migration's Report on Haitian Migrants in the Bahamas (2005). These two reports have been instrumental for governmental entities throughout the Government of the Bahamas to address issues and concerns arising from the domestic socio-economic environment in the Bahamas.

93. In addition, the United Nations publishes its Human Development Reports annually, which have been published since 1990 in order to analyze the levels of human development throughout the international community.

International Organization for Migration's Haitian migrants in the Bahamas 2005 report

94. As part of an ongoing technical assistance program in the field of migration, the International Organization for Migration (IOM) is engaged in an effort to gauge the dimension and impact of Haitian migration in the Bahamas. Haitian migrants by far constitute the largest migrant community in the Bahamas, with a distinct linguistic, cultural, and social tradition. This undertaking, carried out in coordination with the Government of the Bahamas and with the cooperation and support of the Embassy of Haiti and the local Haitian community, involves data collection and analysis of existing information, and conducting surveys of Haitian migrant households. The purposes are manifold: (1) To contribute updated data and research to the scarce and fragmented information currently available; (2) To offer additional perspectives on this significant migration phenomenon; and (3) To supply a fresh information resource to policy makers for future planning purposes, the public at large and, last but not least, the Haitian migrant community itself.

95. IOM is working with the College of the Bahamas, which has assembled a multi-disciplinary team, to complete this project, which is three-fold in nature: (1) An analysis of accumulated existing data; (2) A report on results of the household survey, designed to gather a broad range of demographic and other data; and (3) A review of local media coverage within the last 3-5 years on the subject of Haitian migrants either in or coming to the Bahamas.

96. Against this backdrop, the Government of the Commonwealth of the Bahamas has expressed to IOM its interest in receiving technical support to address effectively the challenges associated with the Haitian migrant phenomenon. As the principal intergovernmental organization in the field of migration, IOM is dedicated to promoting humane and orderly migration for the benefit of all by serving the needs of governments and migrants through the provision of services and advice; thus IOM is well positioned and pleased to assist in this undertaking. This project plays a part in fulfilling the government's desire to address a long-standing migration phenomenon, while it also manifests IOM's commitment to improving lives of migrants and helping countries to deal with their own migration issues.

The Bahamas Living Conditions Survey (BLCS) 2001

97. In order to comprehend the socioeconomic factors which effect persons throughout the Bahamas, the Government of the Commonwealth of the Bahamas implemented the first-ever Bahamian Living Conditions Survey (BLCS). The survey was conducted in 2001 by the Department of Statistics along with the Ministry of Health, which analyzed both monetary and non-monetary factors to determine overall household well-being. The purpose of the BLCS was to develop an accurate measure of the conditions under which persons throughout the Bahamas live.

98. The BLCS survey team randomly selected 2,000 households, which represented approximately 2% of total households throughout the Bahamas. Heads of selected households were interviewed by specially trained interviewers over a month-long period. The BLCS focused on eight interrelated issues: demography and migration, poverty, household expenditures, health, education, employment, access to community services and social programmes and housing.

The United Nations Human Development Reports

99. These Human Development Reports have enabled the United Nations to ascertain how countries throughout the international community were performing with respect to improving their social environmental characteristics that greatly influence the levels of empowerment attainable throughout a particular country or territory. These reports have been instrumental for governments, international institutions, non-governmental organizations and the international community to engage in comparative analysis of the effects of particular policies which have been implemented.

100. Human Development has become an important social paradigm that advocates the enhancement of salient characteristics which can improve the environment for people to lead better lives. By having more choices, citizens can become empowered to achieve higher levels of development to assist them in reaching their full potential, by increased access to resources which are necessary for a higher standard of living. Enlarging people's choices facilitates greater participation in communal activities which inevitably contributes to improved capacity building initiatives within any country.

101. Therefore, it was essential that the Government of the Commonwealth of the Bahamas highlight its record regarding the levels of human development achieved throughout the country. Although the Bahamas has historically been ranked as a high human development country, the Government of the Bahamas has categorically maintained that its goals were to improve the social environment throughout the country each year so that the Bahamas would become recognized as a country which cultivated its most important asset; its people. Once again the Government of the Bahamas was pleased that its position within the United Nations Human Development Report ranked it in the top tier of this prestigious report. Going forward, the Government of the Bahamas intends to address social characteristics which are in need of improvement by means of enhanced policy implementation, so that the Bahamas can continue to remain at the forefront of human development throughout its region and the international community.

102. The United Nation's Human Development Index (HDI) is a composite measure that analyzes three essential dimensions of human development. Although the HDI is not a comprehensive measure of human development, it provides a universal measure of the multidimensional relationship between, "...living a long and healthy life (measured by life expectancy), being educated (measured by adult literacy and enrolment at the primary, secondary and tertiary level) and having a decent standard of living (measured by purchasing

power parity, PPP, income).”ⁱⁱⁱ The 2007/2008 United Nations Human Development Report indicated that the Bahamas was classified as a high human development country throughout its human development indices. A few of the most notable indicators pertaining to the 2007/2008 United Nations Human Development Report revealed that the Bahamas ranked 49th out of 177 countries with data internationally, in both its Human Development Index (HDI), and in its Human Development Index Trends.

103. In 2007/2008 the United Nations revealed that the HDI value for the Bahamas was 0.845. The HDI value trends indicate that the Bahamas has been progressively improving its HDI values, as the correlation between life expectancy, educational attainment and income has improved. The Bahamas achieved a comparative HDI value as Uruguay (0.852), Croatia (0.850) and Costa Rica (0.846); however one significant difference which was evident between the Bahamas and the aforementioned countries was related to their respective GDP per-capita values. The differences in GDP per-capita indicate that persons in the Bahamas have been afforded a higher level of economic well-being, and therefore should be empowered to access greater resources which could help them attain higher standards of living.

Table 17– The United Nations Human Development Index Trends, 1975-2000

HDI Rank	Country	1975	1980	1985	1990	1995	2000	2005
49	The Bahamas	-	0.809	0.822	0.831	0.82	0.825	0.845

Source: United Nations Human Development Report 2007/2008, p. 234

104. The above table highlights the determination of the Government of the Bahamas to consistently improve its human development characteristics. The Government of the Bahamas has remained actively engaged in improving its most important asset, its people. Therefore, as the government recognizes that development is a multidimensional process, policies were established which could enlarge choices that people throughout the Bahamas are faced with on a daily basis.

105. The United Nations ranking for a country’s Commitment to Health (resources, access and services) indicated that the Bahamas was ranked 49th out of 177 countries with data. The Bahamas was considered as having a high level of human development, which establishes an environment that enables persons throughout the Bahamas to lead a long and healthy life. The high human development ranking attained by the Bahamas in this universal indicator also validates the importance for the Government of the Bahamas to ensure a high quality of life for all persons throughout the Bahamas, and to meet its international obligations established with the international community.

106. The Human and Income Poverty ranking for developing countries indicated that the Bahamas was positioned in the highest tier of human development. Once again the Bahamas ranked 49th out of 177 countries with data, which reveals the efforts of the Government of the Bahamas to afford all members of society every possible opportunity to improve their lives.

Although the Bahamas is classified as a developing country, its Government has consistently attempted to offer its citizens similar access to essential services that are found in more developed countries.

107. The United Nations index relating to Commitment to Education (public spending) listed the Bahamas as a country of high human development due to the dedication of the government to ensure that its mandate of affording all persons throughout the Bahamas the opportunity to receive a high quality education was achieved. This index indicates that governmental expenditure on education increased by 3.4 per cent between 1991 and 2005 which has improved the competency of the educational system throughout the Bahamas.

108. Another important ranking signifying a person's ability to have access to the necessary resources needed for a decent standard of living was the Inequality in Income or Expenditure Index. The Bahamas achieved an international ranking of 49th out of 177 countries with data, which further illustrates the continued commitment of the Government of the Bahamas to exceed international benchmarks.

VIII. Factors affecting implementation

109. The Government of the Bahamas wishes to inform the Committee that since accession to the Convention, the Government of the Bahamas has implemented significant structural changes that should improve its ability to enhance its human rights environment; and in particular ensuring equality for all women in the country.

110. The Government of the Bahamas also perceives that although substantial issues still exist in achieving parity for all women in the country, the Bahamas has made significant progress on improving its social order to recognize the importance of women in all facets of national development. Although the Government of the Bahamas has been, and continues to be constricted by its financial and human resource capabilities, the Bahamian Government has prioritized the enjoyment of human rights as a fundamental right that must be enforced uniformly for all persons in the Bahamas.

Section B. Information relating to specific articles of the Convention

Article 1: Defining Discrimination against Women

111. The Constitution of the Bahamas is the supreme law of the land. In general, it embodies the Universal Declaration of Human Rights (UDHR). By virtue of Chapter 3 Section 15 it provides equality for all citizens regardless of race, place of origin, political opinions, colour, creed or sex. Likewise, section 26 states that "...no person shall be treated in a discriminatory manner by any person acting by virtue of any written law or in the performance of the function of any public office or any public authority."

112. The Constitution of the Bahamas does not however, specifically include sex in its definition of ‘discriminatory’, which it describes as:

“Affording different treatment to different person attributable wholly or mainly to their respective descriptions by race, place of origin political opinions colour or creed whereby person of one such description are subjected to disabilities or restrictions to which person of another such description are not made subject or are accorded privileges or advantages which are not accorded to persons of another such description.”

113. This and other amendments are the focus of the public education campaign of the BWA to redress this legal anomaly in the Constitution. It should also be noted that the legal definition of discrimination in the Bahamian Constitution does not include the term ‘gender based violence against women’ or specifically state that the definition includes discrimination against women in the public and private sphere.

Article 2: Obligations to Eliminate All Forms of Discrimination against Women

Constitutional reform

114. Based on its commitments under the CEDAW Convention, the Government of the Bahamas has a constitutional obligation to ensure equality and non discrimination for all citizens regardless of sex. The Government of the Bahamas including those persons responsible for drafting and reforming the Constitution need to specifically incorporate sex in its definition of discriminatory practices to specifically prohibit discrimination on the basis of sex.

The Beijing Platform for Action

115. The Beijing Platform for Action, Paragraph 218, enables governments to register reservations to human rights instruments. In paragraph 232(b) and in Article 2(a) of CEDAW, governments are encouraged to provide constitutional guarantees to prohibit discrimination against women. Additionally, Article 9(2) requires State parties to grant women equal rights with men with respect to the nationality of their children. As noted in the previous section, the Constitution does not explicitly provide protection against discrimination on the basis of sex.

116. Regrettably Articles 2(a) and 9(2) are also sources of concern to the Bahamas and have been registered by the Government of the Bahamas as reservations to the CEDAW Convention. Under paragraph 230(c) of the Beijing Platform for Action, governments are encouraged to limit their reservations and also review them periodically with a view to removing them.

117. The Constitution of the Bahamas continues to favour men in the granting citizenship to their foreign born spouses and through their ability to confer their citizenship to their children. Sections 8.9 and 10 of the Constitution of the Bahamas discriminates against Bahamian women by not giving them equal rights to grant citizenship and nationality to their foreign born spouses and to confer and pass on Bahamian citizenship to their children who are born to

foreign spouses. However, the Government of the Bahamas has developed domestic legislation which enables women in the Bahamas to transmit their nationality to their children.

118. In 2002, a national programme was mobilized to remove this area of discrimination against women in the Constitution. After the conclusion of public discussion on the matter, a referendum was held on February 27th, 2002 to amend these and other areas of the constitution. One hundred thirty-five thousand, four hundred and eighty (135,480) persons registered to vote in the referendum and 54.8% of those voting were women. The referendum was resoundingly defeated. The defeat, however, was not regarded as a rejection of equal rights for women, but rather the results of a process that did not permit the citizenry sufficient time to debate and internalize the proposed changes. Following the referendum, efforts have been made to address the reservations.

119. A Constitutional Reform Commission was appointed, and has held public debates on the amendment of the Constitution. The Government has stated its intention to have extensive dialogue and public education programmes before bringing the matter back to the electorate so that the appropriate amendments can be made into law. This will enable the Bahamas to bring its policies in line with CEDAW, the Beijing Platform for Action and other international conventions which the country has ratified.

Anti-discriminatory legislation passed since 1993

120. In order to eliminate discrimination against women in health, education and employment, the Government of the Bahamas has passed the following domestic legislation:

121. Health: Several legal provisions have been made to regulate equality in health services throughout the Bahamas. Health care is generally provided to all citizens. However, due to traditional gender roles and cultural practices ascribed to women, the major responsibility for the health of the average Bahamian family falls on women. Therefore, the focal point of health services in the Bahamas concentrates on women. The Government of the Bahamas is currently making efforts to encourage men and young boys to take greater interest in their health through programmes such as the **Male Health Initiative**. Efforts are also being made to allow greater access to health care, especially reproductive health. Family Life and Health Education (FLHE) programmes were strengthened and are now taught in most schools. The Adolescent Reproductive Health Programme was also expanded and is helping to re-socialize teenagers, especially males, about the responsibility of parenting.

122. Education Act: To promote gender equality in access to education for all Bahamians, the Education Act by virtue of Section 22(3) provides that no pupil who has attained the age of sixteen (16) shall be required to leave any maintained school, unless he/she is incapable of benefiting from the types of education and instruction available. While the language of the law could be more gender sensitive to include references to he/she, the principle of completing education and training will support the equality of both girls and boys. In addition, Section 23 of the Education Act places a responsibility on parents to secure the education of their children

and to ensure regular attendance at school. Steps taken to diversify the curriculum employed throughout the Bahamian educational system has substantially benefited girls in schools and these are addressed in Article 10.

123. Employment Act: To promote gender equality in employment, the Bahamas Employment Act 2001 has made great provisions for both sexes and emphasizes special provisions for women. This Act has increased maternity leave benefits from eight to twelve weeks; established equal pay for equal work; granted parental leave; established minimum wages and addressed unfair dismissal. Mechanisms to protect the rights of workers as a result of the International Labour Office (ILO) and other Conventions are also considered as part of an enabling environment for gender equality.

Mechanisms to enforce anti-discrimination laws and policies

124. Mechanisms to enforce anti-discrimination laws and policies need to be strengthened. While the BWA is the primary implementing agency for the CEDAW Convention, it does not have any legal authority to enforce anti-discrimination laws and policies. However, as a part of the BWA's mandate, it is responsible for advising each respective Ministry regarding laws and policies which need to be amended. Additional efforts will be made to improve enforcement through the Bahamian judicial system through increased training.

Special remedies for redress for women to pursue their rights

125. In addition to pre-existing legislation enforced in the Bahamas which enables women to pursue their fundamental rights, public awareness campaigns conducted by the BWA and women's NGO's have attempted to establish a more gender sensitive and gender-equitable society. Women who are victims of discrimination have several legal and other remedies for redress. If the discriminatory practice is one that is protected by the Constitution, the women can appeal to the Supreme Court which will analyze whether or not any violations occurred. Other remedies for women who are victims of discrimination include soliciting of help and support from the BWA, from women's NGO's; seeking counseling from specialized social groups and churches; as well as appealing to international human rights institutions.

Institutional mechanisms to protect the rights of women

126. Presently, there have been no Commissions or Ombudsperson developed to promote and protect the rights of women. The BWA has worked in conjunction with the Attorney-General's office to establish adequate institutional mechanisms to protect the rights of women in the Bahamas.

Efforts to modify customs and practices

127. Gender based violence is considered a problem in the Bahamas. In order to eliminate this heinous practice the Government of the Bahamas enacted the Domestic Violence (Protection

Orders) Act 2007, which came into force on 1 December, 2008. The BWA and women's NGOs have organized public educational programmes, along with additional training for the police in handling domestic violence and has established a shelter for victims, which provides counseling for women who are experiencing domestic violence.

Sanctions for acts of discriminations against women

128. There are legal sanctions for acts of discrimination against women in the Bahamas. However, relatively few women use the existing avenues available for redress in the event that they have been discriminated against.

Measures to advance the situation of women in the Bahamas

129. There are substantial public educational initiatives and scholarships for women to study and improve their educational and employment status, credit for small businesses, and mentoring programmes for women in the Bahamas. Additional measures implemented by the Government of the Bahamas have been focused on improving security and safety throughout the country through improved crime management and supplementary training of police officers. The Government of the Bahamas perceives that a comprehensive approach is required throughout Bahamian society so that all women in the country are empowered to achieve their goals. Fortunately, during the period under review, women in the Bahamas have become the beneficiaries of educational initiatives offered throughout the Bahamas, compared to their male counterparts.

Programmes to modify customs and practices that discriminate against women

130. Public education programmes organized by the BWA and NGO's have helped to improve the visibility of discrimination against women in the Bahamas, in addition these programs have also increased public discussion on the need to change gender stereotypes and to eliminate any form of discrimination against women. Public discussions in the media and through educational programmes on issues such as sexual harassment in the workplace have created awareness that these practices are inappropriate and should not be tolerated. Human resource policies in organizations are also helping to change discriminatory practices throughout the country. In the education sector, special measures have been taken to encourage girls to pursue careers in non-traditional fields in order to change occupational stereotypes which have historically enabled the majority of working women being clustered in low-paying low-skilled jobs. Parenting education programmes are challenging traditional roles for men and women in the family and are promoting greater gender equality in sharing the demands of parenting.

Practical obstacles to women's full development and enjoyment of their fundamental freedoms

131. The main obstacles to attaining gender equality in the Bahamas are traditional attitudes and values, as well as cultural practices, inadequate monitoring of laws and inadequate knowledge and use of mechanisms to promote gender equality. Special temporary measures are needed to change the unequal rates of labour force participation of women, lower wages and other areas of discrimination. The prevailing social concept of the male breadwinner throughout Bahamian society is presently being deconstructed, due to some 38 per cent of single female headed households existing throughout the country. Traditional roles for women and men in the family, workplace, in politics and in the wider community are also seen as significant obstacles. Culturally the process of re-socialization of gender roles will take a long time in order to change attitudes and practices that discriminate against women, however this important transition has begun.

Article 3: Measures to ensure the full development and advancement of women

132. The Government of the Bahamas along with its respective ministries and organizations has continued to work towards the development and advancement of women in the Bahamas. Women have continued to advance meaningfully in areas such as: politics, public life, education and employment. However, one significant failure for the Bahamas has been that not all women are advancing at the same pace. Those specially disadvantaged are women in the lower socio-economic classes, some women in the Family Islands (Rural women) and migrant Haitian women; who need special attention as they are the most marginalized group of women in the country. In addition, women with disabilities are also in need of more attention from the Government of the Bahamas, NGO's and local entities, due to the tremendous shortfalls in addressing disabilities in the Bahamas.

133. As a result of the Bahamas' skewed development, the government and other NGO's are making efforts to support the economic empowerment of poor women and their families through a number of domestic initiatives. The government and responsible ministries and organizations continue to work towards the development and advancement of Bahamian women through efforts to support the economic empowerment of poor women and their families through a number of initiatives which are summarized below.

134. The Urban Renewal Initiative is a programme of successive Governments of the Bahamas which supports the social and economic needs of inner city communities which include a large percentage of young women. These women are unemployed, unskilled and have multiple dependents. Stakeholders from the public and private sectors, including the Police Department, Department of Social Services, the Bahamas Agricultural and Industrial Corporation (BAIC) and the Bahamas Development Bank have forged partnerships to support these women through skill training, employment and micro-enterprise projects.

135. The Bahamas Development Bank was also established to assist local entrepreneurs and in January 2006, the Bank unveiled its Micro Loan Programme. This special initiative targets: handicraft/souvenir manufacturers, seamstresses, tailors, painting contractors, lawn-care and landscape contractors, and other small business persons who need to purchase raw materials, supplies or equipment. Eligible persons may borrow up to a maximum of \$10,000. The majority of the beneficiaries of this programme have been women. The BWA has also supported this programme by organizing training workshops to develop the entrepreneurial skills of women. They have partnered with other governmental agencies to mobilize assistance for these women.

136. The area of women's reproductive health has been another area of advancement, in addition to initiatives related to women's economic empowerment. These efforts have resulted in a steady decline in the country's fertility rate, from 3.4 in the 1970s to 2.5 in 2005. This decline contributes to better physical and mental health for women and is also reflected in longer years of schooling for females throughout the country.

National mechanisms to promote the advancement of women

137. The BWA is the governmental/ State machinery mandated to ensure the rights and provisions of women are legally and otherwise protected to guide the effective implementation of CEDAW. The BWA has lead several public education campaigns and partnered with women's NGO's, to address legislation as well as other issues which impact women's equality in the Bahamas. This led to the Child Protection Act and the Domestic Violence (Protection Orders) Act.

138. The BWA has also spearheaded consultations and public education programmes on proposed changes to the Constitution of the Bahamas. The aim of the BWA has been to improve awareness throughout Bahamian society in order to guide any revision of the Bahamian Constitution in order to support more gender-sensitive policies and programmes. The work of the BWA is supported by government entities such as the Domestic Violence Unit of the Royal Bahamas Police Force (RBPF), and through active participation from civil society organizations and international agencies.

139. Under the guidance of the BWA, a committee was established to support the preparation and review of the Bahamas' CEDAW State report. A similar mechanism was established for the National Country Report on the Forward Looking Strategies, which was presented at the Fourth World Conference on Women held in Beijing, China in 1995. This committee spearheaded the preparation of the Bahamas' national report for the Fourth World Conference on Women in Beijing, China in 1995.

140. During the period under review, the capacity of the BWA was strengthened to better support its work on advocacy and policy to promote women's rights. Through successive government administrations, the BWA has been strategically located in key ministries that have provided immeasurable support for its programmes. The BWA has played an integral role in

coordinating public education and awareness on issues affecting women. This has included work on Trafficking in Persons (TIP), as the majority of cases relate to the sexual exploitation of women and girls. The BWA has been an active member of the national committee on Trafficking in Persons and has collaborated with relevant national and international agencies to address this problem.

141. The BWA coordinates several events to commemorate women and also to promote gender equality and women's empowerment in the Bahamas. These events include: A celebration of International Women's Day on March 8 and National Women's Week which is held in November each year. National Women's Week includes public education events on issues pertaining to gender equality and the empowerment of women. These events along with other campaigns have been used to celebrate and highlight the achievements of Bahamian women.

142. In 2007 a newspaper supplement and magazine were distributed throughout the country in observance of National Women's Week. Other annual events commemorated include the International Day Against Violence Against Women, which is celebrated on November 25; and World AIDS Day, which is celebrated on December 1st. The BWA collaborates with a number of national, regional and international organizations to effectively implement its mandate. Among these organizations are NGO's, academic institutions such as COB and the Centre for Gender and Development Studies at the University of the West Indies, the Inter-American Commission on Women (CIM), the Latin American Commission on the Status of Women, and United Nations (UN) agencies such as the United Nations Population Fund (UNFPA), the United Nations Development Fund For Women (UNIFEM), the International Organization on Migration (IOM); as well as CARICOM and the Commonwealth Secretariat.

Non-Governmental Organizations which promote and protect women's rights

143. Several NGOs complement the work of the BWA in promoting gender equality in the Bahamas. These NGO's operate a shelter for battered women, implement public education campaigns; as well as provide essential development and welfare assistance to women in the country. Some of these NGO's are: (1) Zonta Clubs, (2) Rotary International, (3) Council for Women in the Bahamas – the National Women's Advisory Council, (4) The Bahamas Crisis Centre, (5) Developing Alternatives for Women For a New Era (DAWN), (6) Political Women's Organizations, (7) Church Women's Organizations; and (8) Professional Women's groups.

Laws and practices to promote women's political participation

144. There are no laws that specifically promote and encourage women's political participation; neither are there any formal training programmes or quotas to promote a greater number of women in political office.

Measures to ensure women's effective participation at the highest levels of participation and decision-making

145. In 1962 Universal Adult Suffrage was granted and women in the Bahamas won the right to vote. Democratic elections were held in the Bahamas consistently under colonial rule (1955-1964); under self-government (1964-1973) and since Independence in 1973. The two major political parties have dominated national elections since Independence in 1973. The two main political parties in the Bahamas are the Progressive Liberal Party (PLP) which governed from 1973-1992 and 2002-2007, and the Free National Movement (FNM) which governed from 1992-2002 and which won the 2007 elections and is expected to govern until 2012.

146. Prime Ministers of the Commonwealth of the Bahamas have all been male and have included: Sir Lynden Pindling (PLP, 1973-1992) who led the country in to Independence on 10 July 1973; the Honourable Perry Christie (PLP, 2002-2007), and the Right Honourable Hubert Ingraham (FNM, 1992-2002 and 2007 to the present). The Right Honourable Hubert Ingraham was the Prime Minister when the Bahamas ratified CEDAW.

147. Although the population of the Bahamas is almost evenly distributed between women and men, there is still a significant gap in the political representation of women for the country. However, there have been modest increases in the number of women elected to political leadership positions in the last two decades. The Bahamas has not implemented quotas to ensure the equal representation of women in its Parliament. Additional details of women's participation in political leadership and key positions of government are provided under Article 7 of this State report.

Article 4: Temporary special measures

148. Among the special measures being taken to promote gender equality are: revision of laws, public education, and promoting gender sensitive programmes in schools.

The Bahamian Governments official policy to accelerate the de facto equality of women

149. The BWA has taken considerable steps to develop a National Gender Policy. This is being done with support from regional and international agencies, and has involved a national needs assessment survey including consultations with stakeholders throughout the Bahamas. The BWA expects that these consultations should be complete by the end of 2009.

Revision of Law: Inheritance

150. During the period under review, legislative changes have resulted in women and men having equal rights established under the law in regards to inheritance. The Married Women's Property Act is addressed in Article 15 of this State report. However, at the time of accession to CEDAW, this area and several others posed a challenge to the Bahamas and therefore reservations were registered. The situation has now been regularized.

151. One reservation related to Article 16(h) of CEDAW which requires States parties to take all appropriate measures to eliminate discrimination against women in all matters relating to marriage and family relations and in particular to ensure, on the basis of equality of men and women – 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.

152. The inheritance law of the Bahamas at that time was governed by the rule of primogeniture, which did not permit women to inherit from a person who died intestate. To address this inequity in the law, international funding was received from the Organization of American States (OAS) Inter-American Commission of Women, which assisted in hosting town meetings in the majority of the inhabited areas of the Bahamian archipelago. This process brought volunteers from the legal profession together who facilitated discussions on the existing legislation and solicited views from participants. There was also an extensive media campaign with members participating as guests on television and radio talk shows, addressing public education meetings with civil society organizations. Responses were varied but these meetings supported Article 16 (h) of CEDAW as well as Strategic Objective 1.1 of the Human Rights section of the Beijing Platform for Action. Public education continues to be an important strategy for promoting gender equality, awareness of citizens' rights and the implications of violations.

153. In 2002, as a result of these initiatives, a new Inheritance Law was enacted which now permits men and women to inherit equally. The Bahamas can now consider removing the reservation to Article 16(h).

Temporary measures to achieve equality between women and men

154. While there is no explicit policy of affirmative action by the Government of the Commonwealth of the Bahamas, numerous well-qualified women have been appointed to top leadership positions throughout the public sector (the Judiciary and the Executive arms of the government) during the years under review. These appointments and subsequent performance have tremendously helped to develop an enabling environment which promotes equality for women in the country.

Article 5: The Elimination of gender stereotypes

Cultural and traditional practices

155. Legal and other changes in the status of women are helping to redefine traditional gender roles and sexual stereotypes in the home, workplace and at national levels. However, some of these remain a challenge and are most evident in health issues, women's lower participation in the labour force and their lower rates of remuneration. Therefore, issues relating to Article 5 are likely to remain a challenge for some time.

156. Unfortunately, many cultural and traditional practices in the home limit women's advancement. For example, gender inequality in domestic housework, parenting and caring of children limits the ability of women and girls to actively participate throughout the labour market. This in turn affects their employment status and income earning potential. Many male-female relationships also reflect traditional sex roles of a male breadwinner and dependent females although patterns are changing.

Measures to change social and cultural patterns

157. In schools the FLHE curriculum encourages life skills, sexual safety and career planning.

The role of religion

158. Some churches in the country adhere to traditional roles for men and women that perpetuate sex roles and stereotypes. Although the situation is changing throughout numerous religious denominations, careful attention must be focused on establishing a comprehensive plan to redefine traditional gender roles throughout all segments of Bahamian society.

The roles of women and men in Bahamian society

159. Men in the Bahamas are expected to become the breadwinner for the family, along with their traditional roles as providers and protectors. Women's roles are to be family caretakers, with females having the primary responsibility for the care of the young, the sick and the elderly. Women are also expected to combine their reproductive and productive roles as workers. This is particularly important for the 38 per cent of Female Heads of Households (FHH's) who do not live with a male head of household. These roles however are changing.

The role of stereotyping in the media

160. Unfortunately there remains some stereotyping related to exploiting and highlighting women's sexuality especially in the media.

Efforts to eliminate gender stereotyping of women and men

161. Efforts have been made in the media to broaden the images of males and females but there remain several obstacles linked to particular cultural practices and norms throughout the country.

Laws and customs of the Bahamas

162. In the Bahamas, the man is still traditionally considered as the head of the household when women and men live together. Evidently, among the 38 per cent of single FHHs, the women would be considered the household head. Therefore it can be expected that Bahamian society

has begun to redefine its perceptions regarding females becoming the head of household in the Bahamas.

Women's and men's employment

163. The concept of particular jobs being associated with men or women still persists in the Bahamas, however this prevalence is changing. Domestic chores in the household were traditionally considered 'women's work' while outside chores (washing vehicles, cutting lawns, painting, taking out garbage, lifting heavy equipment, repairing roofs or securing the house before a hurricane...etc.) were all considered 'men's work'. Throughout the Bahamian workforce, some sectors are male dominated (technical areas) while other are female dominated (caring professions such as nursing and teaching). See tables 11-13 in this State report for pertinent data regarding male and female dominated sectors of the economy. Additional details are also provided under Article 11 of this State report. Generally sex stereotyping is still evident in employment, with women clustered in jobs related to 'traditional female roles' in low-paying service industries. There is also an under representation of women in public leadership positions, however women have developed into the dominant gender throughout the Government of the Bahamas' Public Service. Women do move into traditional male occupations, for example since 1964, women have served in the Royal Bahamas Police Force, but are still under-represented numerically.

Work forbidden for women

164. There are no legal restrictions in the Bahamas which prevent women from engaging in any forms of legal employment.

Tasks for girls and boys in the home and school environment

165. Parents and teachers have tended to reinforce sex stereotyping of certain tasks for girls and boys. At home, girls are more likely to be asked to do inside chores such as washing, cooking and cleaning. Boys would usually be required to do outside chores such as cleaning up the yard or tending to animals. In the school environment, efforts to change gender stereotypes in education received a boost in 1997 with the introduction of a major curriculum reform aimed at improving the relevance and quality of subjects taught to students as well as a shift to use more culturally relevant indigenous materials. The reform also addressed sex stereotyping in old and outdated school textbooks. During the period under review, the Bahamas can report that sex stereotyping has been eradicated throughout the Natural Sciences, English language, and the Technical and Vocational subjects. In addition, education is still a female-dominated occupation, as the overwhelming majority of teachers have been and continues to be females.

Responsibility for the care of children

166. Throughout the Bahamas, women still have the major responsibility for the care of children; however, more fathers are now involved in child care and have been encouraged

through parenting education programs. Provision of family leave accessible to either mothers or fathers has been a positive development to encourage more equitable sharing of family responsibilities between fathers and mothers. In cases of divorce, mothers are typically given custody of the children especially if they are very young. In recent times, more fathers are demanding their rights to the custody of their children.

Provisions for family life education

167. This is accessible to children attending school where there is a Family Life and Health Education (FLHE) Programme. Some churches throughout the country have established family life programs for their members and their communities.

Consistency of the Bahamian educational syllabus with the Convention

168. The FLHE syllabus provides general support but is not directly linked to or reflective of the CEDAW Convention.

Right to chastisement

169. In the Bahamas, husbands do not have a legal right to chastise their wives, however, cases of domestic violence do occur. Police officers have been trained in domestic violence interventions, empowering them to better protect the rights of women who may complain of chastisement and violence from their spouses. The enactment of legislation has strengthened the rights of women in this area.

Perceptions of violent behaviour between spouses

170. Unfortunately violent behaviour has become more frequent across all social and economic classes, but is increasingly rejected as socially unacceptable throughout the Bahamas. Women are the main victims although some men are victims of such violence. The rights of these men are adversely affected by social norms which perceive battered men as 'soft' and there may be under-reporting of such cases to the Police - the majority of whom are males. There are counseling and support services for both battered women and men but more interventions are needed for males who perpetrate violence against women and for men who are themselves the victims of gender based violence.

Public education programmes on women's rights

171. There are several such programmes and the media also provides support in promoting awareness in print and electronic forms.

Conflict resolution education for men and women

172. Counseling programmes offered by religious and other groups promote non-violent interventions. The Police also promote mediation training in communities and schools and the Bahamas Crisis Centre has implemented a “Peace Campaign” in the public and private school systems.

Dowry or bride price

173. This is not a practice in the Bahamas.

Promoting awareness of domestic violence among law enforcement officers

174. Many police officers were trained in Domestic Violence Prevention. Some police stations have posters that build awareness on domestic violence prevention. The Community Policing Programme and domestic violence prevention strategy of the Royal Bahamas Police Force includes public education on reporting Domestic Abuse. Officers have also participated in Caribbean training programs on domestic violence interventions for law enforcement officers. Training in Domestic Violence is a mandatory component of the curriculum of the Police Training Centre.

Domestic violence shelters

175. Two private entities, in partnership with The Department of Social Services operate safe houses to assist battered women but more are needed across the country. The Crisis Centre also operates a toll-free hot line for victims of domestic violence in New Providence and Grand Bahama.

Law enforcement officers’ treatment of sexually assaulted victims

176. Police officers in the Bahamas have been adequately trained, and there are female police officers working with victims of sexual assault. Women’s rights groups cited a general reluctance on the part of law enforcement authorities to intervene in domestic disputes. The Police have also established a Sexual Domestic Violence Unit and have opened a Rape Suite for adult women and children victims.

Special measures to address the sexual abuse of children in the Bahamas

177. In 2006 draft legislation was prepared by the Office of the Attorney General and Ministry of Legal Affairs to prepare a comprehensive Child Protection Act to replace the Children’s and Young Persons (Administration of Justice) Act. A working group was established to review the draft copy of the legislation. With rising levels of sexual and other forms of violence against children, governmental and non-governmental agencies in the child protection and

development sector have increased efforts to build awareness and provide interventions. The Child Protection Act was passed in 2007, but it has not yet been enforced.

Article 6: Suppressing all forms of exploitation of women

Sexual Offences and Domestic Violence Act 1991

178. This Act uses the term ‘any person’ which could include male or female. Section 3 in particular, defines rape as “...the act of any person not [less than] fourteen years of age having sexual intercourse with another person who is not his spouse without the consent of that person...” This definition recognizes that both males and females can be victims of rape. Both men and women can therefore bring charges against another person regardless of their gender for rape.

179. Section 5(1) of the Act also seeks to criminalize the abduction of an individual with the intent of causing that person to cohabit, marry or have sexual intercourse with another person. This provision aids in preventing the trafficking in women and children for the purposes of prostitution and sexual exploitation which is a growing trend globally.

180. Section 7 imposes a term of imprisonment of eight years for individuals found guilty of trafficking in persons under age 18 for prostitution or for becoming an inmate in a brothel. This Act supports the United Nations Conventions Against Transnational Organized Crime and the Protocols thereto (Trafficking in Persons Migrant Smuggling) that the Bahamas ratified in 2001. This Act also criminalizes prostitution in the Bahamas. The use of the term ‘any person’ enables equality as it covers a wide ambit of persons who may be traffickers, victims of trafficking, prostitutes and sex workers.

181. Protection against sexual offenses has also been strengthened by the enactment of an International Child Abduction Act, which gives effect to the HAGUE Convention on the Civil Aspects of International Child Abduction and for related matters.

Legislation on trafficking in persons

182. The Bahamas has enacted the Trafficking in Persons (Prevention and Suppression) Act, 2008. It came into force on the 10th December, 2008. The Government of the Bahamas has been pro-active and has collaborated with the IOM engaging in anti-trafficking training efforts, the BWA, along with the Office of the Attorney-General and Ministry of Legal Affairs, the Department of Immigration; and the Ministry of Foreign Affairs have been addressing the question of human trafficking throughout the country.

183. The Government of the Bahamas has established an interagency Trafficking-in-Persons Task Force, which participates in public conferences and anti-trafficking training. The taskforce posits that “...while reports of human trafficking in the Bahamas may be limited, the government has taken solid steps to prevent child labor and the commercial sexual exploitation

of children by conducting outreach campaigns and establishing a national hotline for reporting abuse.” These initiatives support women who are victims of human trafficking.

The Bahamian Government’s position on women selling sexual services

184. It is illegal under the Sexual Offences Act for any women in the Bahamas to engage in any form of selling sexual services.

Legal status of prostitution/pornography

185. Prostitution is illegal and is not considered a widespread problem throughout the country. The offence of pornography is defined in the penal code of the Bahamas as ‘obscene publication’, in section 510, Title XXXI and punished by two years of imprisonment. The production, distribution and possession of child pornography is an offence under the Sexual Offences Act.

Application of anti-violence laws against women prostitutes

186. ‘Sexual Offences Act and Domestic Violence (Protection Orders) Act protects prostitutes from rape. Sections 3 (a) and (b) which define rape notes that it is an act of sexual intercourse a) without the consent of that other person; and b) with consent which has been extorted by threats or fear of bodily harm.

Sanctions to protect prostitutes from exploitation

187. The legal sanction for a person who is convicted of raping a prostitute is a minimum of seven years and a maximum penalty of life imprisonment, for especially heinous crimes.

Prevailing social attitudes towards prostitution

188. Prostitution is not socially acceptable in the Bahamas.

Violence against women

189. While there is no Article in CEDAW devoted exclusively to violence against women, General Recommendation Number 19 outlines specific measures to be addressed by member States. In 1995 the Bahamas ratified the Inter-American Convention on the Punishment and Eradication of Violence Against Women, known as the ‘Convention of Belém do Pará’. The Beijing Platform for Action also outlines various measures to combat violence against women. The country has given specific attention to training, protection and support, in addition to public education.

a) Training

190. Training to address violence against women has targeted key segments of the community, particularly the police who are expected to uphold the law and to serve, protect and reassure citizens. Consciousness raising material and posters are readily available in police stations, health clinics and other public areas. Training has also been made available to health and social services professionals. An important development has been the introduction of a mandatory component on domestic violence in the training program offered to new police recruits. Efforts are ongoing to continue providing this training to serving officers.

b) Protection and support services

191. Services to women who are victims of violence have improved during the period under review although there are still challenges. Women are now able to access assistance through the Department of Social Services' Family Services Division and the Family Violence Unit. Both entities offer counseling for families and individuals, and mediation services in matters referred by the courts. The Family Violence Unit is strategically located on the premises of the main public hospital in Nassau which facilitates easy access for persons who also require medical attention.

192. Women may also access support and accommodation through the Crisis Centre of the Bahamas which receives an annual grant from the government.

193. The major challenge is to establish a network of shelters to provide temporary accommodation to women and children who are victims of violence throughout the country. In 2003, the first Safe House for Women (Temporary Shelter) for women was established by the Nassau Chapter of Links Inc. This women's NGO, spearheaded this initiative with the assistance of the British American Insurance Corporation and the government. The Government of the Bahamas has made a commitment to provide an annual grant of seventy-five thousand dollars (\$75,000.00) to assist the home. This is an important start as most women who are victims especially of partner abuse, are reluctant to leave their circumstances because they have no place to go.

c) Public education

194. The Government, through the BWA has organized public education programmes to raise public awareness of domestic violence. This has been done in partnership with the Zonta Club of Nassau, the Rotary Club of West Nassau, the Domestic Violence Unit of the Royal Bahamas Police Force and the Crisis Center to take the concerns of domestic violence into the community. This partnership, launched in 2002 under the theme 'The Action Team,' conducted community fora in New Providence. Professionals and trained lay persons organized initiatives to build public awareness as well as to share success stories of rehabilitating batterers. They also highlighted the roles of the church and the police and the importance of sharing information on how people could access help from various agencies.

Legislation on intentional HIV infection

195. The Government of the Bahamas has enacted specific legislation to deal with individuals who intentionally infect others with HIV/AIDS or those who engage in sexual intercourse with others knowing that they are infected without disclosing it to them. This legislation enables an individual to bring criminal charges and assumedly civil charges against someone for infecting them with HIV/AIDS. By so doing this law protects women in vulnerable relationships who may be forced to have sexual intercourse against their will with an infected partner.

Laws on trafficking in women

196. This is covered by the new Trafficking in Persons (Prevention and Suppression) Act, 2008 which came into force on the 10th December, 2008.

Monitoring of immigration and emigration patterns

197. This is done by the Bahamas Department of Immigration.

Laws for the protection against trafficking in women and girls

198. The Bahamas has enacted the Trafficking in Persons (Prevention and Suppression) Act, 2008. It came into force on the 10th December, 2008.

Obstacles to eliminate prostitution and trafficking of women

199. Police officers conduct raids on night clubs and brothels but the practice is likely to continue. Poverty is a significant obstacle to eliminating prostitution in the Bahamas.

Legislation to penalize individuals involved in trafficking of women and girls

200. As pointed out earlier the Bahamas has enacted the Trafficking in Persons (Prevention and Suppression) Act, 2008. It came into force on the 10th December, 2008.

Article 7: The participation of women in public and political life

Equal rights to vote and participation in elections

201. Women in the Bahamas have the right to vote in any elections and to participate in elections on equal terms with men. Women in the Bahamas received the partial right to vote in 1961 and full voting rights in 1962. Since this time there have been no legal restrictions on voting imposed on either women or men.

202. International reports have indicated that “There are no legal impediments to participation by women in government and politics; however, women are underrepresented.”^{iv} In 2000, the

40-seat House of Assembly had 6 elected female members, including the Speaker of the House, and 6 appointed female Senators, including the government leader in the Senate. In 2008, there were only 8 elected female members of the House of Assembly and 9 appointed female Senators. In 2009, the number of female Senators was reduced to 5 as a result of resignations.

203. With regard to the 2002 general elections, of the 133 candidates contesting the elections for seats in the Parliament (Lower Chamber), 31 were women (23 per cent). Of that number, 8 were elected. As a result, in 2002 elections, women comprised 20 per cent of the Parliament and 25 per cent of the Cabinet. They held positions such as Deputy Prime Minister and Minister of National Security (first time in the nation's history), Minister of Financial Services and Investment, Minister of Social Services and Community Development and Minister of Transport and Aviation. Females also comprised 43 per cent of the Senate (Upper Chamber) and the President was also a female. On 13 November 2001 Bahamians witnessed the appointment of the first female Governor-General in an independent Bahamas, H.E. Dame Ivy Dumont. In 2008, women comprised 12 per cent of the Parliament, 5 per cent of Cabinet and 56 per cent of the Senate.

Women's participation in political parties

204. Women are eligible to be candidates for elected positions on the same terms as men in the country's political parties: Free National Movement (FNM), Progressive Liberal Party (PLP), Bahamian Freedom Alliance (BHA), the Bahamas Democratic Movement (BDM) and Coalition for Democratic Reform (CDR).

Public offices held by women

205. Women in the Bahamas hold and have held some strategic positions at the decision making level. However, there is still inequality in women's and men's participation in political and public life. For example, the post of Governor General was held by Dame Ivy Dumont, who was the first female Governor-General of the Bahamas and she was appointed in 2003. This post is rarely held by women in the Commonwealth and in the Caribbean only 3 women have held that position. Women also hold power in a number of important posts. In September 2006 these included: (1) President of the Court of Appeal of the Supreme Court, (2) Governor of the Central Bank of the Bahamas, (3) Director General of Tourism, Financial Secretary; and (4) President of the Bahamas Chamber of Commerce. In 2009 these figures changed to include a female Secretary to the Cabinet.

206. The current situation is an improvement on earlier years. For example, in 1990, only 4.1 per cent of the seats in the national parliament were held by women. During the period under review, women in the Bahamas have made significant progress at attaining public office throughout the country.

207. In 1992 female participation in parliamentary assemblies was 12.7% (10) and 87.3% male (69). For the same year, female participation in government was 30.3% (33) and 69.7% for males (76). Participation in local representative bodies was 8.6% (12) for females and 91.4%

(127) for males. However, in 1997 the percentage of seats held by women in parliament doubled to 8.2 per cent when compared to the 1990 figure. This increase continued, reaching 15 per cent for the period 1998-2002 and 20 per cent for the period 2003-2007.

208. There has also been a steady increase in the number of women at the level of legislators, senior officers and managers. In 1993, women's participation at this level was 26 per cent, increased to 31 per cent in 2002 and further increased to 40 per cent in 2006. Efforts therefore need to be accelerated to achieve the target of 30 per cent participation at national level and 50 per cent at local government as recommended by CEDAW and the Commonwealth. Tables 16 and 17 below presents data on the number of women elected to political positions during the period under review.

Table 18 – Women in Top Political Leadership Positions 1995 & 2006

	1995			2006		
Position	Women	Men	Total	Women	Men	Total
Members of the Senate	3	13	16	6	9	15
Members of Parliament	4	45	49	8	32	40
Total	7	58	65	14	41	55
Members of Cabinet	3	10	13	4	12	16

Source: Bahamas Handbook and Businessman's Annual, 1995 and 2006

Table 19 – Women in Selected Public Order and Safety Occupations, 2006

Positions	Women
Director of Legal Affairs	1
Registrar	1
Deputy Registrar	1
Stipendiary and Circuit Magistrates	10
Total	13

Source: Bahamas Handbook and Businessman's Annual, 2006

Public offices currently held by women

209. Elections in May 2007 resulted in five women (12.2 per cent) being elected to a 41-member Parliament (Lower House) and eight women (53.3 per cent) being appointed as senators to a 15-member Senate (Upper House).

210. An increased number of seats in Parliament have been held by women since the first woman was appointed to the Senate in 1977. In 1993 women held only 4 per cent of the seats. This number doubled to 8.2 per cent in 1997. In the 2002 elections, 20 per cent of seats (8/40) were held by women. In 2000, the 40-seat House of Assembly had 6 elected female members, including the Speaker of the House, and 6 appointed female Senators, including the government leader in the Senate.

Table 20 - Women's Participation in Political Positions from 1993 to 2006

Areas of Participation (%)	1993	1997	2002	2006
Seats in Parliament (% of total)	4	8.2	19.6	26.8
Lower/Single House	4	-	15	20
Upper House/Senate	-	38	31.3	43.8
Legislators/Senior Officials/Managers*	26	-	31	40
Mayor	n/a	n/a	n/a	n/a

Sources: Human Development Reports – 1993, 1997, 2001, 2005, 2006 and
[www.bahamas.gov.bs.]

211. Additional research on women's political participation is needed to fill data gaps. This should include: the percentage of female members of political parties; the nature of their participation; the measures taken by parties to increase women's membership; and the percentage of women that stand as candidates for publicly elected bodies. Data has however been provided on the proportion of women to men elected during the period under review. The data in tables 21-22 below highlight the gender inequalities for women in political participation in the Bahamas.

Table 21 – Women in Key Positions in Parliamentary Assembly by Position

Position	1990			2002		
	Women	Men	Total	Women	Men	Total
Prime Minister	0	1	1	0	1	1
Attorney-General	0	1	1	0	1	1
Other Ministers	0	13	13	4	10	14
Opposition Leader	0	1	1	0	1	1
Speaker of the House	0	1	1	0	1	1
Total	0	17	17	4	14	18

Source: Women and Men in CARICOM Member States: Power and Decision-Making 1980-2002, CARICOM 2003. p. 80.

Table 22– Members of Parliamentary Assembly by Position, 1990 and 2002

Position	1990			2002		
	Women	Men	Total	Women	Men	Total
House of Assembly (Lower House)	2	47	49	8	32	40
Government	1	30	31	8	21	29
Opposition	1	15	16	0	7	7
Independent	0	2	2	0	4	4
Senate (Upper House)	3	13	16	7	9	16
Total	7	107	114	23	73	96

Source: Women and Men in CARICOM Member States: Power and Decision-Making 1980-2002, CARICOM 2003. p. 80.

Factors which prevent women's political participation

212. There are no legal barriers to women's participation in the political process and women are active as members and candidates of political parties. However, social, economic and political barriers persist and impact negatively on women's participation in representational politics. Traditional gender roles gave women the major responsibility in the private (domestic) sphere and give men responsibility for activities in the public sphere. These gender roles pose challenges for women seeking public office as they have to manage the demands of political representation and leadership as well as their domestic responsibilities. The following data demonstrates how gender inequality in managing household responsibilities impacts women.

213. In the 1980s and 1990s, CARICOM states that 5 per cent of women in the Bahamas who stayed out of the labour market cited home duties as the reason, which reflected low participation rates for women.^v Women's unequal participation in the labour market also impacts negatively on their financial capacity to run election campaigns. Political parties have not introduced any known special measures to increase financial support for female candidates. As a means to improve women's political participation in the Bahamas, the BWA along with the National Organization for Women's Associations in the Bahamas hosted a public forum and panel discussion in 2006 with several political candidates who were contesting national elections.

Percentage of women participating in elections

214. For the 2007 General Elections, 55% of persons who voted were women. In addition, women comprised (19/111) or 17 per cent of persons registered as political candidates.

Women's participation in the design and implementation of development planning at all levels

215. Women are involved at all levels of development planning in the Bahamas, however the country must begin to quantitatively increase the numbers of women at all levels. Women in the Bahamas have come to outnumber men in the public service. Therefore the Government of the Bahamas expects that very soon women will become the dominant gender in all aspects of development planning throughout the country. See table 23 in the Annex of this State report for additional data concerning women involved in the development planning of the Bahamas.

Women's participation in trade unions

216. Women do participate in trade unions but their participation is unequal to that of males. The Bahamas has ratified 33 ILO Conventions and 30 of them are in force. Most of these ILO Conventions benefit women while others provide specific protection for the rights of women workers. Women are therefore able to access the general rights available to all workers.

217. The ILO database on trade unions in the Bahamas reports that there are 57 active trade unions in the country. Analysis of the leadership at the level of President and General Secretary shows that of the 57 unions listed, women accounted for 11.3 per cent of Presidents and 37.7 per cent of General Secretaries. In 2009, a woman was elected as the head of the largest trade union in the Bahamas, namely the Bahamas Hotel Catering and allied workers Union. Other unions led by women were nurses, airline and airport workers, electrical workers, teachers, tertiary education workers and workers in financial services.

218. The Education International Country Report for the Bahamas (21 June 2007) provides insight into the situation of trade unions. The report notes that the Constitution provides for freedom of association and that "Private and public sector workers may form or join trade unions, except the police force, defence forces, fire brigades and prison guards." The report further notes that "Almost 25% of the work force consists of union members." Collective bargaining is used to negotiate wages, and the right to strike is assured. The government has the right to intervene in the national interest to assure essential services before a strike begins.

Exposure to discrimination associated with political activities in women's organizations

219. There are no studies which explore this type of discrimination.

Involvement of women's organizations and policymaking

220. It should also be noted that women's organizations and advocacy groups in the Bahamas are mobilized around specific policy issues to advocate for change. (e.g. domestic violence; gender inequalities in the Constitution...etc.). The following section highlights the achievements of women's organizations in the Bahamas for the period under review.

221. The National Women's Advisory Council in the Bahamas is an advisory body to the Minister with Responsibility for Women's Affairs. The BWA hosts a monthly forum with representatives of non-governmental women's organizations. Included in this forum is the National Organization of Women's Association in the Bahamas (NOWAB), which is an umbrella organization for women's groups in the country. The work of some of the NGOs represented at the forum impact policy-making while others are active in various issues affecting women. These organizations include: The Crisis Centre, The Anglican Church Women, The Baptist Women's Convention, Council for Women in the Bahamas, Political Parties Women's Associations and the Bahamas Girl Guides Association.

222. The Crisis Centre is the main agency advocating for policy changes related to domestic violence. It provides services to victims of physical, sexual and emotional abuse; advocates for legislative and societal protection of survivors and raises public consciousness through education and information. The issues they address include: Domestic Violence, Child Sexual Abuse, Child Physical Abuse, Incest, Rape, Sexual Harassment, Relationship Problems, Marital Problems, and Behavioral Problems.

223. DAWN (Developing Alternatives for Women Now) is a global agency that advocates on the impact of globalization, structural adjustment and poverty on women's lives. Their advocacy work seeks to reform international institutions that contribute to poverty. They also work to ensure that governments fulfill international commitments made at conferences, as well as to mainstream gender in NGO advocacy initiatives.

224. Another influential NGO organization for women in the country is, the Women's Holistic Empowerment and Development Organization Network (WHEDO) that attempts to address women's various needs for jobs, food, clothes, housing, or furniture in the Bahamas.

225. The Bahamas has several faith based institutions that have women's organizations. Among these are: Anglicans, Assemblies of God, Baptist, Church of Christ, Christian Science, Greek Orthodox, Lutheran, Free Evangelical, Methodist, Presbyterian, Islamic, Jehovah's Witness, Baha'i and Roman Catholic. Most if not all include women's organizations as well as organizations for girls (e.g. Girls' Brigade and Girl Guides). There are also other churches such as: Abundant Life Bible Church the Bahamas Conference of SDA - The fourth largest religious denomination of the Bahamas; the Bahamas Faith Ministries International; Calvary Deliverance Church and Galilee Ministries International.^{vi}

Article 8: International representation of women in international affairs of the Bahamas

Representation of women at the international level

226. Women in the Bahamas have the right to represent their Government at international level and to participate in the work of international organizations on equal terms with men. While there are no records of women being denied representation on the basis of their sex, the opportunity to represent their country or to participate in the work of international

organizations is very limited. Bahamian women represent their country in numerous international meetings related to national development, international concerns and promoting women's rights and other issues. These include participation in meetings of the United Nations, the Commonwealth, the Organization of American States, as well as through the CARICOM Secretariat.

Women in the foreign service

227. Women currently hold 58.3 per cent of the postings in Foreign Service. Among these, Her Excellency Elma Campbell is the Bahamian Ambassador to the People's Republic of China, Dr. Paulette Bethel is the Permanent Representative to the United Nations and Mrs. Gladys Sands and Katherine Forbes-Smith are the Consul Generals for the Bahamas' Consulates in Miami, Florida and Atlanta, Georgia respectively.

228. Women also account for 3 of the 8 Diplomatic and Consular Representatives (37.5 per cent); 3 of the 11 Honorary Consuls (27.3 per cent); and there are no female Non-Resident Ambassadors. Table 24 below provides details of women's representation in the Bahamian Foreign Service.

Table 24- Number of Women and Men in Foreign Service as at 2007

Senior Posts / Positions	Women	<i>Men</i>
Diplomatic and Consular Representatives	3	5
Non-Resident Ambassadors	0	3
<i>Honorary Consul</i>	3	11

Source: www.bahamas.gov.bs

229. Within the Ministry of Foreign Affairs women outnumber men by a tremendous margin. Women currently account for 107/135 positions, or 79.25 per cent of all employees within the Ministry. In addition, presently the Permanent Secretary, and 4/6, or almost 67 per cent of Heads of Department are women. These statistics clearly indicate that women in the Bahamas and particularly throughout the Ministry of Foreign Affairs have achieved tremendous success within the Ministry of Foreign Affairs and throughout the Bahamian Public Service. Therefore, due to the dominance of women in the Bahamian Foreign Service, and especially in the Ministry of Foreign Affairs, the use of temporary special measures to help address the low representation of women in Foreign Service has not been necessary for the period under review.

Percentage of persons employed in international organizations

230. In the case of the Bahamas, successive governments have failed to take full advantage of increasing the numbers of Bahamians, both men and women who become involved in international organizations due to significant human resource and financial constraints.

Therefore, special efforts are needed to increase the number of all Bahamians representing the Bahamas in international organizations.

Article 9: Nationality and citizenship of women and their children

Legal rights in nationality

231. The Bahamian Constitution determines citizenship and by virtue of Chapter II Section 6, provides that every person born in the Bahamas after 9th July 1973 shall become a citizen of the Bahamas at the date of his/her birth if at that date either of his/her parents was a citizen of the Bahamas. Section 8 and 9 reads respectively:

232. “Section 8. A person born outside the Bahamas after 9th July 1973 shall become a citizen of the Bahamas at the date of his birth if at that date his father is a citizen of the Bahamas otherwise than by virtue of this Article (Section) or Article 3(2) of this Constitution.”

233. “Section 9. (1) Notwithstanding anything contained in Article 8 of this Constitution, a person born legitimately outside the Bahamas after 9th July 1973 whose mother is a citizen of the Bahamas shall be entitled, upon making application on his attaining the age of eighteen years and before he attains the age of twenty-one years, in such manner as may be prescribed, to be registered as a citizen of the Bahamas: Provided that if he is a citizen of some country other than the Bahamas he shall not be entitled to be registered as a citizen of the Bahamas under this Article unless he renounces his citizenship of that other country, takes the oath of allegiance and makes and registers such declaration of his intentions concerning residence as may be prescribed.”

Equality in marriage to non-nationals

234. Gender inequality exists in relation to the acquisition of Bahamian nationality where marriage is to a woman as opposed to a man. Section 10 of the Constitution of the Bahamas makes specific reference to a Bahamian man being able to give Bahamian nationality to his wife by virtue of marriage, but a Bahamian woman does not give nationality to her husband. Mention of a Bahamian woman being able to give her husband nationality by virtue of marriage is altogether excluded from the Constitution. However, the Government of the Bahamas has passed domestic legislation which mitigates the effects of the Constitution of the Bahamas.

Equality in accessing rights of residence

235. The law does not discriminate when persons are accessing spousal permits or in the acquisition of residency and employment.

Equality in acquisition of passports

236. Women can obtain a passport or travel document without the permission of her husband or male guardian. The application for a passport for a child less than 12 years must include his/her birth certificate, the mother's birth certificate and passport and the grandmother's birth certificate. If the application is being done using the father's documents the following are required: his birth certificate, the parents' marriage license and the father's passport. If the child is between 12-17 years, the child's birth certificate must be accompanied by the mother's birth certificate and passport as well as the child's primary school record.

Article 10: Ensuring equal rights for women in education

Equal access to education

237. Legislation: The Education Act (1962) and its Amendment of 1996 provide for universal and equal access to education for men and women^{vii}. The Amendment also stipulates that students remain at school until the age of 16 years. These support CEDAW as well as the commitment of the Bahamas to the Millennium Declaration (2000) and the eight Millennium Development Goals. Consistent with this Act, education is mandatory for girls and boys aged 5-16 years. Equal rights to education are also supported by special measures. These include a Scholarship Plan for students of MICAL, and the Government's Scholarship Loan Plan. Section 4 of the Education Act also states that: "It shall be the duty of parents of every child of compulsory age to cause him/her to receive full education suitable to his or her age." See table 25 in the Annex of this State report for details on the national numbers of students in the Bahamian educational system.

Mission statement

238. The mission of the Ministry of Education is to provide all persons in the Bahamas with an opportunity to receive an education that will equip them with necessary beliefs, attitudes, and knowledge and skills required for work and life in a democratic, Christian society." This mission statement envisions equitable access for males and females to the educational process, adequate skills to provide for one's livelihood, and also infers ethics/moral training that speaks to self development and good citizenship.

Philosophy

239. The philosophy of the Ministry of Education is, "A better quality of life for all", encapsulates the concepts of equality as well as respect for the uniqueness of the individual and the very best for the individual and the nation. It also articulates education as the prime vehicle for attaining national goals, sustainable development, and the self actualization of individuals and a better life for all. This philosophy is also a call for commitment to the excellence by all

those involved in the educational process. It is also an exhortation to good civic activities. It encourages people to treasure, promote and sustain what is regarded as Bahamian, but also reflects sensitivity in the wider world community. So, although Bahamians share the basic value of the Commonwealth, nationals nevertheless have, and treasure their uniqueness and all that constitutes what is truly Bahamian. Consistent with these legal and other provisions, equal rights to education are also supported by special measures.

240. Institutional provisions such as a network of pre-school, primary, secondary and tertiary institutions funded by the Government that provide education for males and females of varying ages, abilities and diverse needs. Government subventions are also provided to private schools to reduce fees charged to students, which enables more girls and boys to attend private schools. Alternative education institutions are also available to ensure that boys and girls at risk can complete their education. These include The YEAST Programme operated by an NGO and government institutions such as: PACE (Providing Access for Continuing Education); SURE (Success Ultimately Reassures Everyone); The Penn/Pratt Centre for juveniles in detention.

Special education facilities

241. Girls aged 12-17 years who become pregnant in school are able to continue their education through PACE. During the period 1993-2000, 757 teen girls were enrolled averaging over 180 girls in most years. Girls in the PACE Programme and the child's father, also have access to education on reproductive health and counseling, and referral services as PACE works in partnership with the Department of Social Services and the government's FLHE Programme. After the birth of her child, a teen mother may be placed in a school, in a job or registered for skill training at the Bahamas Technical and Vocational Institute (BTVI). PACE has been very successful in reducing the rate of second pregnancies among teen girls. Legal and other measures to promote equality exist and there is considerable equality in education in practice. However, there is need for additional legislation and a formal policy to guarantee pregnant teen girls the right to continue their education and to facilitate their smooth return to the school system after the birth of their baby.

Programme SURE an Alternate Education Programme

242. SURE (or Success Ultimately Reassures Everyone) is an alternative programme for male students aged 13-18 years who are challenged by a traditional school curriculum. Established by the Ministry of Education in February 17, 1992, it serves at-risk male students who are referred by School Administrators, Guidance Counselors, personnel at Special Services, or the Juvenile court. SURE's Mission is, "To provide an environment conducive for alternative learning. Hence, modifying and changing students' behaviours and attitudes through a network of behavioural, health, education, physical, and religious education."

243. As an example of its scope and work, in 2002, there were 50 young men enrolled in the programme who participated in therapeutic sessions, academic courses, technical and

vocational studies (Auto Mechanics, Masonry, Carpentry, Electrical Installation, and small appliance repairs); physical education, counseling and Behaviour Management.

244. The success of the Programme SURE also impacts on girls and the wider society as it supports an enabling environment for girls and women's equality and security.

245. Facilities operated by NGOs also provide educational opportunities and services for both sexes and complement government programmes. Among these are: Colby House which is linked to the Anglican Diocese a residential facility for teen boys which provide an opportunity to participate and to improve their education; the Central Gospel Chapel; the Zonta Club of Nassau and the Bahamas Family Planning Association.

Literacy rates for males and females

246. The definition for literacy has not been established by the Bahamas. Therefore, the Government of the Bahamas promoted a Stakeholders meeting for the Ministry of Education along with members of civil society to establish national criteria for establishing a benchmark for literacy throughout the country. Prior to this endeavour, the Bahamas Junior Certificate Examination (exit exam) has been taken as an indicator or proof of literacy. Details of literacy levels were not available for each year but there is the recognition that many Bahamians are not functionally literate and need to possess adequate numeric and literacy skills to improve their socio-economic status, to support their development and to make them globally competitive. The 2006 Human Development Report also notes that in the 1990s, the youth literacy rate (% aged 15 -24 years) was 96.5 per cent. The publication, Education for All (2000), indicates that the overall literacy rate for males and females was 98.2 per cent. Although data on the overall literacy rates for females and males aged 15-24 years, 25-44 years and 45 years and above was not immediately available for each of the years under review, data for 2005 is presented below.

Table 26 – Literacy Rates by Sex (2005 estimates)

Sex	% Literate
Male	96.7
Female	94.9
Total	95.8

Source: The Bahamas Facts and Figures

The Bahamian educational system

247. Table 27 below shows that in rank order, the largest national enrolment of students in public schools was at the Primary level (25,991), the Junior level (7909), and the Secondary level (7591) respectively. In private/independent schools the ranking was highest at the All-Age level (10,661) followed by the Primary level (4,019).

Table 27 – Public School Enrollment by Island 2005/2006

	School Type							
Island	Preschool	Primary	Junior	Senior	Secondary	All-Age	Special School	Total
Abaco	0	1332	0	0	829	278	0	2439
Acklins	0	83	0	0	51	0	0	134
Andros	0	1170	0	0	989	0	0	2159
Berry Islands	0	0	0	0	0	180	0	180
Bimini	0	0	0	0	0	217	0	217
Cat Island	0	231	0	0	228	0	0	459
Crooked Island	0	27	0	0	39	0	0	66
Eleuthera	0	1052	0	0	856	588	0	2496
Exuma	0	443	0	0	434	83	0	960
Grand Bahama	0	4243	0	0	3720	30	113	8106
Inagua	0	0	0	0	0	30	0	30
Long Cat	0	0	0	0	0	226	0	226
Long Island	0	398	0	0	319	9	0	726
Mayaguan a	0	38	0	0	33	0	0	71
New Providenc e	171	16856	7907	7172	0	0	361	32467
Ragged Island	0	0	0	0	0	13	0	13
Rum Cay	0	0	0	0	0	17	0	17
San Salvador	0	118	0	0	93	0	0	211
Total	171	25991	7907	7172	7591	1671	474	50977

Source: Ministry of Education

248. Data disaggregated for each island shows that as expected, the capital Nassau, which is located in New-Providence recorded the highest enrolment figures of 32,467 and Grand Bahama, the industrial capital followed with 8,106. Rum Cay and Long Cay recorded the lowest with 17 and 9 respectively.

249. Within the Bahamas there are a total of two-hundred and forty-five schools. Of these One hundred and fifty-nine are public, while the other eighty-six are private institutions as exhibited in table 28 below.

Table 28 - Number of Schools - All Bahamas

School Type	Public	Private	Total
Preschool	3	-	3
Primary	96	33	129
Junior	7	2	9
Senior	7	0	7
Secondary	21	8	29
All-Age	15	35	50
Special School	10	8	18
Totals	159	86	245

Source: Ministry of Education

250. Enrolment also varies across school districts. The highest student enrolment for public schools in rank order was: the Southwestern District (9,649), the Southeastern (7,753), the Northeastern (7,665), and Freeport City on Grand Bahama (6,085). For these districts, enrolment in the primary, junior and secondary schools was highest. For islands reflecting private school enrolment, New-Providence and Grand Bahama displayed the highest figures. All-Age (1,622) and secondary school enrolment (991) on Grand Bahama recorded the highest numbers. New-Providence also recorded high enrolment figures for the primary and all-age schools.

Curriculum in the school system

Table 29- Grade Repetition (%) (Currently Enrolled Students)

Characteristic	PRIMARY STUDENTS		SECONDARY STUDENTS		
	Primary Repeated	N	Primary Repeated	Secondary Repeated	N
All Bahamas	13.9	949	10.4	3.3	725

School Type					
Government	14.9	750	11.7	3.4	587
Private	11.5	199	7.1	3	138
Gender					
Boys	14.3	499	13.8	3.9	368
Girls	13.4	450	7	2.6	357

Source: Ministry of Education

251. Female and male students are streamed according to their ability and not by sex. Results of the Bahamas Living Conditions Survey 2001 conducted by the Department of Statistics reveal that girls were excelling more than boys. The repetition rates were higher for boys than girls from primary to secondary school. The proportion of boys repeating grades was also twice that of girls in primary school (14 per cent vs. 7 per cent) and overall a noticeably larger percentage of students in Government primary schools repeated than their cohorts in private schools. This indicated the need to improve education at primary levels for both sexes to reduce repetition and drop out rates in the future. Within secondary schools, no significant difference was found between Government and private schools with regard to repeating a class. Data on per capita expenditure for males and females were not available. Teachers, guardians/parents and 'Career Guidance Counselors' encourage girls to pursue 'traditionally male studies' mainly at secondary, post-secondary and tertiary institutions.

Special measures for boys at risk

252. Between 2000 and 2006 a special pilot project was developed and implemented to address the problem of boys' underachievement in schools. It addressed academic, as well as behavioural problems and provides valuable lessons to ensure equality in education.

Equality in subject choices in the education system

253. Girls and boys in the Bahamas are able to take the same subjects at all levels of the education system as the country is moving away from the tradition of sex stereotyped subjects for boys and girls in schools. Increasingly, both sexes are able to pursue the same subjects throughout their school life including institutions of higher learning. Girls are made aware of the range of subjects in the curriculum and are encouraged to pursue these by teachers and 'Career Guidance Counselors'. As a result of these special initiatives, girls are increasingly pursuing subjects that have traditionally been regarded as 'male' subjects. These trends are also a response to changing demands of the labour market, and an increase in women teaching non-traditional subjects such as: electronics, engineering, plumbing, and construction which are taught at the Bahamas Technical and Vocational Institute (BTVI). Other nontraditional subjects increasingly being pursued by females include: agriculture, science, medicine, and law. More female students are taking these options because of their desire for high wage/high skill jobs, the demands of the job market and the prompting of many Guidance Counselors in schools.

Despite equal access in principle, some girls do not pursue these subjects. Table 30 below highlights statistics from the Ministry of Education.

Table 30 – Statistics from the Bahamian educational system

Year	Net Enrolment in Primary Education	Net Enrolment in Secondary Education	Ratio of Girls to Boys in Primary Education	Ratio of Girls to Boys in Secondary Education
1999	-	-	0.96	1.21
2000	-	-	-	-
2001	-	-	-	-
2002	-	-	-	-
2003	89.9	-	0.97	1
2004	91.8	92	0.97	-
2005	91.1	89.9	0.97	1.01
2006	92.4	84.3	0.98	1.01

Source: Ministry of Education

Subject choices in the school system

254. In the Bahamas, both sexes are able to pursue the same subjects throughout their school life including at institutions of higher learning. Girls are made aware of the range of subjects in the curriculum and are encouraged to pursue subjects which interest them. These trends are also a response to changing demands of the labour market, an increase in women teaching these subjects. They serve as models of alternative capabilities in non-traditional areas such as: electronics, engineering, plumbing, and construction and these subjects are taught at BTVI.

255. Table 31, below indicates that there were 69,485 students enrolled in schools throughout the Bahamas in 2005/2006, unfortunately the data was not disaggregated based upon gender.

Table 31– National Student Enrollment by School Type (2005/2006)

School Type	Public	Private	Total
Preschool	171	(n)	171
Primary	25991	4019	30010
Junior	7907	156	8063
Senior	7172	939	8111
Secondary	7591	2661	10252
All-Age	1641	10661	12302
Special School	474	102	576
Total	50947(e)	18538(e)	69485

Source: Ministry of Education

Table 32– Female Graduates at Primary, Secondary and College/University Levels

Ministry of Education: Male vs. female Enrolment Comparisons - 1993/1994 to 2006/2007							
No.	Year	The National Picture		Public Schools		Private Schools	
		Male	Female	Male	Female	Male	Female
1	1993/94	31,185	30,691	23,999	22,523	7,186	8,168
2	1994/95	31,174	30,354	23,633	22,210	7,541	8,144
3	1995/96	31,370	31,245	24,365	23,666	7,005	7,579
4	1996/97	n/a	n/a	n/a	n/a	n/a	n/a
5	1997/98	32,082	31,021	24,391	23,161	7,691	7,860
6	1998/99	32,901	31,679	25,014	23,672	7,887	8,052
7	1999/2000	33,503	32,633	25,060	23,803	8,443	8,830

Source: Ministry of Education

256. Table 32 above provides educational data for the period under review. The table highlights that whereas there are more males enrolled at the national level and in public schools; enrolment is higher for females in private schools throughout the country.

257. Table 33 below provides a summary of male and female enrollment in all schools throughout the Bahamian archipelago. The data confirms that more males were enrolled in schools across the islands, with the exception of Abaco and Eleuthera, where slightly more females were enrolled.

Table 33– Student Enrollment by Sex for All Schools in the Bahamas

School District	Male	Female			
(All schools)	Students	Students	Total	% Male	% Female
Abaco	1125	1153	2278	49	51
North Island	893	841	1734	51.4	49.6
South Island	376	317	693	54.2	45.7
MICAL	265	254	519	51	49
Cat Island	386	335	721	53.5	46.4
Eleuthera	1202	1245	2447	49.1	50.8
Exuma	535	518	1053	50.8	49.1
Grand Bahama	4455	4100	8555	52	47.9
Long Island	356	337	693	51.3	48.6

Northeastern	3811	3676	7487	50.9	49.1
Southeastern	3938	3793	7731	50.9	49.1
Southwestern	4934	4393	9327	52.9	47.1
Total	22276	20962	43238	50.3	49.6

Source: Ministry of Education

Female high school graduates

258. The table 34 below shows that females represented more than 50 per cent of secondary school graduates (12th Grade) during 1994-2003.

Table 34 – Percentage of Female Graduates (12th Graders) at Secondary Level, 2004-2007

YEAR	TOTAL MALE/FEMALE	No. of Females	Percentage
1994	4169	2108	50.60%
1995	3931	2011	51.20%
1996	3914	2051	52.40%
1997	4112	2075	50.50%
1998	4195	2048	58.40%
1999	4008	2094	52.20%
2000	4186	2224	53.10%
2001	4227	2253	53.30%
2002	4257	2227	52.30%
2003	4148	2177	52.50%

Source: Ministry of Education

College level enrolment and graduates

259. At the College level, the data presented in this section of the State report shows that there are more females than males enrolled in and graduating from academic, technical and vocational courses across various institutions. These include: the Sojourner Douglass College, the University of Miami, and the Bahamas Baptist Community College.

260. Higher levels of female participation in all forms of education are also reflected in the tables below. There are more females enrolled in and graduating from academic as well as Technical and Vocational courses. A similar trend is reported at college level. For example, at the Sojourner – Douglass College, enrolment is typically 300 students of which 50 per cent are females. Sex disaggregated enrolment data of Bahamian students at the U of Miami for 1990-2004 is presented in table 35 It shows and increasingly higher rate of enrolment of females than males at that location.

Table 35- University of Miami: Number of Bahamian Females and Males Enrolled from 1990 to 2004.

Year	Males	%	Females	%	Total
Spring 1990	22	73.30%	8	26.70%	30
Fall 1992	13	48.14%	14	51.85%	27
Fall 1994	12	41.40%	17	58.60%	29
Fall 1996	13	34.20%	25	65.80%	38
Fall 1998	15	42.80%	20	57.14%	35
Fall 2000	15	68.18%	7	31.80%	22
Fall 2002	7	41.17%	10	58.80%	17
Fall 2004	9	45%	11	55%	20

Source: University of the Miami

261. Tables 36-37 in the Annex of this State report present data from the Bahamas Baptist Community College and BVTI. This also shows a higher rate of enrolment of females in relation to males. The total enrolment for 2003 was 724 of which 618 students (85 per cent) were females and 106 were males (15 per cent). In 2004 there were 651 students of which 542 (83 per cent) were females.

Table 38 - The Bahamas Baptist Community College, Enrolment by Sex and Division, Fall, 2003 and 2004

		TOTALS	
		2003	2004
Business & Administration	Males	28	23
	Females	217	164
Humanities	Males	0	1
	Females	0	0
Natural Sciences	Males	5	7
	Females	16	18
Social Science	Males	8	14
	Females	23	45
College Prep	Males	65	58
	Females	316	274

Pre-School			
	Males	0	0
	Females	32	38
Short Certificate Program			
	Males	0	1
	Females	14	3
UWI Certificate Program			
	Males	0	5
	Females	0	0
TOTALS		724	651

Source: The Bahamas Baptist Community College

262. The data from tables 39-40 below shows that a significantly higher percentage of female students have graduated from COB opposed to male students. The percentages are even greater when compared with data from BVTI located in table 41 in the Annex of this State report.

Table 39- The College of the Bahamas: Number of Students Enrolled by Sex, 1995–2004

Year	Males	Females	Total
1995	737	2,081	2,818
1996	813	2,293	3,106
1997	920	2,600	3,520
1998	934	2,819	3,753
1999	898	2,648	3,546
2000	786	2,392	3,178
2001	852	2,548	3,400
2002	1,106	3,365	4,471
2003	1,088	3,546	4,634
2004	1,059	3,406	4,465

Source: The College of the Bahamas, Department of Records.

Table 40- The College of the Bahamas: Number of Graduates by Sex 1990–2004

Year	Males	Females	Total
1990	115	256	371
1991	100	280	380
1992	100	338	438
1993	134	322	456
1994	111	285	396
1995/6	81	323	404

1996/7	136	423	559
1997/8	137	416	553
1998/9	142	453	595
1999/00	128	398	526
2000/01	93	300	393
2001/02	68	339	407
2002/03	96	319	415
2003/04	80	342	422

Source: The College of the Bahamas, Department of Records.

263. In addition, female students have out-performed their male counterparts at the University of the West Indies, (UWI) which is a regional University that is financed by member States of CARICOM.

Table 42- Registered Students and Percentage Women in the University of the West Indies, by Country of Origin, 1999/2000

Student's Country of Origin	Number Registered	Per cent Women
Antigua and Barbuda	76	58
Bahamas, the	136	71
Barbados	2,792	64
Belize	41	66
Dominica	45	67
Grenada	39	56
Guyana	29	38
Jamaica	6,928	71
Montserrat	18	50
St. Kitts and Nevis	70	53
Saint Lucia	197	74
St. Vincent and the Grenadines	112	63
Trinidad and Tobago	4,196	61
Total	14,679	67

Source: Caribbean Community Secretariat, Women and Men in the Caribbean Community, Facts and Figures: 1980-2001, p.70

Study grants and scholarships

264. Table 43 below shows that between 1993 and 2000/01, more women than men received government bursaries or scholarships to study. However the trend has been reversed since

2005/2006 indicating that men have been the majority of beneficiaries. The second half of the table shows that most of the Teacher Education Grants go to females and this is not surprising as the majority of teachers are female.

Table 43– Persons Supported under the Government of the Bahamas Scholarships (1993-2001)

SCHOLARSHIPS	1993/4	1994/5	1995/6	1996/7	1997/8	1998/9	1999/00	2000/01
Total Number of National Awards / Bursary	133	77	82	142	95	199	362	303
Males	50	30	25	44	29	68	92	87
Females	83	47	57	98	66	131	270	216
Total number of teacher education grants	547	365	314	271	282	250	337	377
Males	57	52	33	25	37	32	27	27
Females	490	313	281	246	245	218	283	317

Source: Ministry of Education

Teacher education grant programmes

265. The majority of teachers are females and it is therefore not surprising that table above shows a significantly higher rate of awards for females than males for national bursaries and teacher education grants. The College of the Bahamas has not yet gained university status. There are a number of programmes that provide educational grants for teachers to gain higher education. These include:

A. The Government's Teacher Education Grant Programme that provides financial support for eligible teacher trainees to pursue a Bachelors Degree in Education at the College of the Bahamas and each year approximately 70 teachers graduate from the programme and are employed in the educational system.

B. The Future Teachers of the Bahamas Programme recruits and trains young, intelligent high school graduates to become competent teachers. The programme started in 1995, has grown, and currently enrolls over 200 students/teacher-cadets annually, 80 per cent of whom are females and 20 per cent are males. The Ministry of Education reports that this is an important alternative to other career choices that are promoted by teachers, and that "Career Guidance Counselors" usually steer male students especially, into lucrative areas such as: medicine, law, science, engineering, and technology.

C. Bursaries: As an additional incentive, the Ministry of Education also covers two-thirds of the cost for persons pursuing a Diploma or Bachelor's Degree in Education at the College of the Bahamas. This helps to ensure all teachers are certified. Because there are twice as many females as males in the teaching profession, more women than men benefit. During the last three years, the Ministry of Education facilitated four hundred and ninety five teachers (495) in their educational pursuits.

D. The Career Path Programme also attempts to redress imbalances between men and women in educational institutions and offers incentives that would attract men into this profession. The programme was instituted in July 1997, and resulted from collaboration between the Government and the Bahamas Union of Teachers. It is designed to attract and retain proficient male and female education graduates and to keep excellent teachers in the classroom. Although the profession of education has been feminized, this programme seeks to attract more men into teaching by offering a varied pay scale based on expertise and credentials.

E. Females access to Grants: The Government has created an enabling environment to support education and teacher training which has benefited both women and men. However, women's dominance in the education field has placed them at an advantage in using available opportunities. Education grants are awarded on the basis of aptitude rather than sex. Through this programme, the areas for teacher training have expanded considerably to include: education, nursing, business, hospitality, natural science, health, sociology and languages.

Scholarships for women to access advanced education

266. Opportunities for women to access advanced education have also increased with the provision of scholarships for higher education locally and abroad and increased funding for student loans. From 1992 to 1997/98, government's commitment to students' assistance increased from \$1.03 million to \$3.24 million which excluded teacher education grants and tuition fees. In 2000, government also instituted guaranteed loans with a budget of \$12 million. Most students receive loans or bonded scholarships and 78 per cent study in the USA.

Women and men in adult education and literacy programmes

267. Adult Education and Literacy Programmes have existed since 1953. To improve levels of literacy, the Government and several institutions offer programmes for both males and females, to address literacy problems. Several adult education programmes have been established to develop literacy skills among women and men so they are competent in reading writing and numeric skills. Some of these programmes are discussed below:

a. The Let's Read Bahamas Programme is a non-profit adult literacy programme, established in 1991 by the Rotary Club of East Nassau and became an independent body in 1993. It uses the Laubach Way which teaches reading to sixth grade level after which students move to Challenger or Voyager Reading levels. Equal numbers of men and women participate in this programme and reports indicate that between 1991 and 2000, Project Read Bahamas tutored

500 adult students. Between 1994 and 2000, over 100 Bahamians had also been exposed to literacy experiences and many volunteers had been trained. This programme has also resulted in a network of literacy tutors throughout the archipelago.

b. Other adult education programmes provide opportunities for continuing education and increase opportunities for improved mobility and further education. These include: the Basic Workers Programme and the Over Forty Programme, sponsored by the College of the Bahamas through its Centre for Continuing Education and Extension Services.

268. Despite these programmes, some women are unable to access adult education and literacy programmes for a number of reasons. Some face language barriers (e.g. non-English speaking immigrant women) while others are single heads of household who need child care but do not have access to resources and support that would enable them to attend classes. There are also economic factors and some low-income women are unable to access the programmes because they lack money for transportation and to buy resource materials for study.

Laws and policies to keep girls in school

269. The Education Act as previously discussed makes education compulsory for students between the ages of 5-16 years. Truancy Officers of the Special Services Section in the Ministry of Education also monitor, encourage and support children's school attendance. They report persistent tardiness, absenteeism and liaise with schools, parents and the courts for such offences. The Lunch Programme of the Ministry of Social Services and the Ministry of Education, Science and Technology also encourages attendance by providing free lunches to students in need of support. See table 44 in the Annex of this State report which further highlights available programs offered by the Department of Social Services to help young children, especially female students.

270. The School Attendance Unit of the Ministry of Education has also introduced a Street Patrol, to discover the reasons why girls and boys are absent and implements a public awareness programme in the mass media to sensitize the public about the problem of non-attendance.

271. The Ministry of Education has also compiled a list of the most common reasons given for absenteeism in Primary, Junior High and Special Schools. In the Primary Schools the main reasons were: absence of bus fare, clean uniforms or lunch money. They also noted that students were regularly late for school, and some suffered from physical, mental and emotional abuse or had to baby sit siblings. Analysis of these reasons shows that it is possible that girls are more likely than boys to miss school to baby-sit siblings because of socially ascribed gender roles. For Junior High School, the most common reasons for absenteeism given were: (1) Lack of interest in school due to marijuana/alcohol abuse/failing grades, (2) Repeated suspensions, (3) Riding the bus during school hours, (4) Association with other persons who do not attend school, (5) Sexual activity (females), house breaking (males), (6) Lack of

Supervision by Parents/Guardians, (7) Parents/Guardians losing control of children and; and (8) Poor communication.

272. During the 2005/2006 school year, 714 cases were received, 674 absentee cases were totaled, 563 persons resumed attendance, and 40 cases were not investigated or could not be located. Absence of sex disaggregated data for responses limits the ability to determine which sex was most affected in junior high school.

273. The Ministry of Education has considered other approaches to address the issue of absenteeism, such as tracking and monitoring absences using administrative software. Another option is to develop links with the College of the Bahamas to expand training for school attendance officers. There were also plans to attend an international conference on this issue. Making these plans gender sensitive would help to ensure that specific strategies are targeted at girls and boys to ensure that absenteeism is reduced for both sexes.

274. In Special Schools, the most common reasons for absenteeism were: parents keeping their children at home because they were embarrassed by them or believed that their children could not accomplish anything because of the child's disabilities. Collecting sex disaggregated data, would help to determine the specific education needs of girls and boys who are disabled or challenged.

Education programmes for young female school dropouts

275. Girls who leave school before attaining the required school age are able to access a number of alternate opportunities for study. Government maintained schools offer courses leading to the Bahamas Junior Certificate Examinations (BJC) and the Bahamas General Certificate of Secondary Education (BGCSE) at evening institutes. Many private institutions/agencies also offer similar opportunities to enable students to complete their education. In addition, Technical and Vocational courses are offered at BVTI for males and females who wish to upgrade their skills or learn a trade. There is an open door policy and persons only need to purchase materials to participate. Another option is the Continuing Education Programme (College of the Bahamas) which offers literacy courses as well as others for self-interest. Generally, more girls than boys register for education upgrades. The dropout rate for females at all levels of education is 0.2%. Reasons given for females discontinuing their education include: lack of funds, family constraints, and lack of success at studies.

Table 45 - Reported Reasons for Un-enrolment (ages 5 – 16 years)

Reason Given	Total	Boys	Girls
Need to work	0	0	0
Does not want	43.8	46.5	35.4
Pregnancy	2	0	8.5
Chronic Illness	11.3	0	47.6

Completed	12.2	16	0
Other	17.3	22.7	0
Too Young or Hasn't Started	13.3	14.8	8.5
Not Stated	18	13	5

Source: The Department of Statistics' the Bahamas Living Conditions Survey 2001

Student/Teacher ratios

276. Table 46 below shows that 67% of all teachers are employed in public schools and 32.3% in private schools. The sex distribution of teachers across the various schools is also very interesting. The data shows that in rank order, most male teachers are employed in secondary public schools or private All Age schools. Most female teachers are employed in Primary public schools and private All Age schools.

277. All schools in the Bahamas are co-educational and at present the ratio of teachers to students is 1:16. In private schools the teacher-student ratio is 1:13. The per capita expenditure for male and female students is similar and sex is not the cause of differentiation as this would be in opposition to the philosophy of the Ministry of Education.

Table 46– Student/Teacher Ratios in the Bahamas

CATEGORY	TEACHER	STUDENT	RATIO
PUBLIC	3,184	50,332	1:16
PRIVATE	1,394	18,021	1:13
TOTAL	4,578	68,353	1:15

Source: Ministry of Education

Table 47– National Summary – Number of Teachers by Sex and Level

	Public		Private		
School Type	Males	Females	Males	Females	Total
Preschool	0	15	(n)	(n)	15
Primary	129	1305	39	332	1805
Junior High	114	369	7	18	508
Senior High	167	332	20	40	559
Secondary	272	434	85	162	953
All-Age	33	68	212	661	974
Special School	28	51	0	11	90
Total	743	2574	363(e)	1224(e)	4904(e)

TOTALS	3,317	1,587	4904
%	67%	32.30%	

Source: Ministry of Education

278. Tables 48-51 in the Annex of this State report further highlight the student/teacher ratios throughout the Bahamas.

Male/Female ratios at the College of the Bahamas

279. Table 52 below shows that sex stereotyping in subject areas is undergoing a transition. Of the total of 195 lecturers, 61.5 per cent are females and 38.5 per cent are male but the trend varies across subjects. Nursing is still 100% female which there is more equality in the number of Social of Natural Science teachers: there are more males (53 per cent) and females (43 per cent). More females have also been appointed to the level of senior lecturer (37% male, 63% female).

Table 52- Number of Female and Male Teachers in the Faculties of the College of the Bahamas (2002-2003)

<u>School</u>	<u>Males</u>	<u>Females</u>	<u>Total</u>
Communications and Creative Arts	5	14	19
English Studies	4	17	21
Social Studies	9	10	19
UWI LL.B Programme	6	2	8
Education	4	2	6
Business Studies	14	16	30
Hospitality & Tourism Studies	5	8	13
Natural Science & Environmental Studies	19	17	36
Nursing & Allied Health Profession	0	18	18
TOTAL	66	104	170

Source: Dr. Chipman-Johnson at the College of the Bahamas

280. Table 53 below shows a dominant male leadership in top positions (four of five Presidents have been male). However a female President served for 16 years, allowing her to make a monumental contribution to the development of the College. The present President of the College is a woman. 63 per cent of the women were Directors and 80 per cent were Deans.^{viii}

Table 53– Number of Female and Male Administrators at the College of the Bahamas
1974-2003

Title	Male	Female	Total
Principal/President	4 (80%)	1 (20%)+	5
Vice-President	0	4 (100%)	4
Executive Vice-President	1	1	2
Vice-President (from 1995)	4 (40%)	6 (60%)	10
Bursar	1	0	1
Deans	2 (29%)	8 (80%)	10
Chairpersons	*38 (48%)	*43 (52%)	82
Coordinators	2 (29%)	5 (71%)	7
Provosts/Coordinators of centres	1	3	4
Financial Controller	1	1	2
Assistant Vice-President	1	1	2
Registrar	2	0	2
Assistant Registrar	0	1	2
Directors	9 (37%)	15 (63%)	24

Source: Dr. Chipman-Johnson at the College of the Bahamas

+This President served for 16 years.

*Some individuals have served more than once, *Once person served as acting director for three weeks.

Table 54- Principals by Sex and Year in Ministry of Education Schools, 1993-2004

YEAR	MALE	%	FEMALE	%	TOTAL	%
1993/1994	73	53.3	64	46.7	137	100
1994/1995	70	50.4	69	49.6	139	100
1998/1999	62	43.4	81	56.6	143	100
2000/2001	59	59	87	59.6	146	100
2001/2002	61	41.5	86	58.5	147	100
2002/2003	57	38.8	90	61.2	147	100
2003/2004	52	32.7	107	67.3	159*	100

Source: Planning Unit

*Includes: Pre-schools and Special Schools.

281. From 1993-1995, males dominated the executive landscape of Government schools; from 1998 to the present, females held more positions as Principals than men. In primary and junior schools, women outnumbered men 3:1 and at the secondary level 2:1. However, at the College level, there were more women in positions of Vice-President and below.

282. In 2006, of the total number of school principals, 67.3 per cent were women and 32.7 per cent were men. Several women serve as 'Head of Department' but this position is conferred annually and is not a substantive post. Women have made tremendous contributions to tertiary education. Some of the women at the College of the Bahamas have served on government boards and committees such as the Government Loan Scholarship Committee, the Prison Commission, and the Business Commission.

Gender equality in access to family life & health education

283. In principle, females and males have equal access to family planning information and services throughout the Bahamas. However, in practice, family planning services are accessed almost exclusively by females. Several related agencies collaborate to provide reproductive health education in schools and community-based groups. Among these are: the Family Planning Unit; School Health Services, Adolescent Health Care, HIV/AIDS, Research Unit, and the Bahamas Family Planning Association. The Male Health Initiative Arm of MCH/FP is involved in outreach activities to educate males about reproductive health.

284. The curriculum of the FLHE Programme enables teen boys and girls in Government schools to learn about the impact of early sexual activity, have access to information on methods of birth control and advice on the overall benefits of abstinence.

Girls in sports and physical education

285. Girls have the same opportunities as boys to participate in sports and physical education in schools. There are no regulations that prevent or prohibit their participation in these areas. There are also no dress regulations that impede the full participation of girls and women in sports. While it is culturally acceptable for women to participate in all sports, there are still traces of sex stereotyping in sports pursued by boys and girls. For example, fewer girls play cricket and soccer (football), however women in the Bahamas have become famous for their achievements in representing the Bahamas in track and field and swimming internationally. In addition, sports facilities are however equally accessible to both men and women, and boys and girls.

Research on the achievement of girls in co-educational schools in comparison to single sex schools

286. No research has been conducted in this area as there are no single sex schools maintained by the Government or private groups in the Bahamas.

Career and vocational guidance

287. Women and girls who venture into non-traditional fields do encounter obstacles Career and vocational guidance is available to inform girls in schools of the full range of vocational opportunities available to them. Information is provided to them by the Ministry of Education's

School Guidance Counselors. Information is also shared through Career Fairs held during Career Week at high schools. Girls are encouraged to pursue post-secondary courses in non-traditional skills which are available at post-secondary institutions such as BTVI.

288. Educators have however identified the need to have female instructors to encourage females in non-traditional areas of work. Several strategies have been recommended by stakeholders to address sex stereotyping and to encourage girls to enter non-traditional occupations. These include: exhibitions, establishment of clubs, information and exposure to non-traditional areas and school-to-work programmes. There has also been the suggestion to organize a special day in schools devoted to non-traditional jobs. Political party manifestos have also included measures to address these obstacles and examples can be found in the Progressive Liberal Party's OUR PLAN (2002) and the Free National Movement: Manifesto '92.

Female access to grants

289. The Government has created an enabling environment to support education and teacher training which have benefited both women and men. Women have, however, dominated in the education field. Education Grants are awarded on the basis of aptitude rather than sex. Through this programme the areas for teacher training have expanded considerably to include: education, nursing, business, hospitality and natural science, health, sociology and languages.

290. Women's opportunities for advanced education have also increased with the availability of scholarships for higher education locally and abroad as well as increased funding for student loans. From 1992 to 1997/98, government's commitment to students' assistance increased from \$1.03 million to \$3.24 million which excluded teacher education grants and tuition fees.

Article 11: Ensuring equal rights for women in employment

291. The Industrial Relations Acts comprise the main laws that govern the operation of trade unions.

Recruitment and employment practices

292. There are no known legally sanctioned distinctions in recruitment and employment between men and women in the Bahamas.

Legislation to eliminate discrimination in employment and wages

293. Legal reform has promoted equality in employment and several laws have been reviewed and new legislation has been enacted during the period under review. The Bahamas has also ratified several international agreements including several ILO Conventions, but faces challenges to enforce them effectively.

294. Legal reform that supports Article 11 of CEDAW has also resulted in an increase in maternity leave benefits from eight to twelve weeks. There has also been enactment of legislation to ensure equal pay for equal work, the granting of paternity leave, the establishment of minimum wages, legislation to address unfair dismissal because of pregnancy or a reason related to her pregnancy as well as the protection of women from hazardous work. These reforms were the result of extensive dialogue with many stakeholders: trade unions, NGOs, relevant government agencies and employers.

295. The Employment Act (2001) establishes equality for all Bahamian citizens. Section 6 states that, “No employer or person acting on behalf of an employer shall discriminate against an employee or applicant for employment on the basis of race, creed, sex, marital status, political opinion, age or HIV/AIDS status by :-

(a) refusing to offer employment to an applicant for employment or not affording the employee access to opportunities for promotion, training or other benefits, or by dismissing or subjecting the employee to other detriment solely because of his or her race, creed, sex, marital status, political opinion, age or HIV/AIDS status;

(b) paying him at a rate of pay less than the rate of pay of another employee, for substantially the same kind of work or for work of equal value performed in the same establishment, the performance of which requires substantially the same skill, effort and responsibility and which is performed under similar working conditions except where such payment is made pursuant to seniority, merit, earnings by quantity or quality of production or a differential based on any factor other than race, creed, sex, marital status, political opinion, age or HIV/AIDS status;

(c) Pre-screening for HIV status.

296. This Act supports equality in remuneration for work done by both men and women, prevents discrimination in employment on the basis of sex and secures the rights of men and women infected with HIV and AIDS in securing employment.

Percentage of women in the total waged workforce

297. In 2005, women represented approximately 50.5 per cent of the total waged workforce. Data from the Department of Statistics reveals that female participation rate in the labour force has increased from 68.2 per cent in 1996 to 71.1 per cent in 2004. (Please see table 10 in this State report).

Percentage of part-time and full-time workers

298. Details of the waged workforce in relation to age groupings and part-time/full-time workers were unavailable.

Women in piecework

299. Craft workers are included among female workers engaged in piece work. Details on their conditions of work were unavailable.

Professions dominated by women or by men

300. Teaching and nursing are two professions in which women dominate. Men dominate in the Police, armed forces, fire brigade, correctional services as well as in construction. (Please see tables 13-14 in this State report which exhibits gender differences in occupational groups). Women dominated in the following occupations: professionals/technicians and associate professionals (23% vs. 5%); clerks (23% vs. 3%); and service workers (28% vs. 15%). There was equity among legislators and senior officials (7% vs. 8%). Men dominated in skilled agricultural and fishery workers (0% vs. 5% males); Craft, and related workers, plant workers plant and machine operators and assemblers (33% males to 3% females) and, in elementary occupations (21% males to 15% females).

Apprenticeships

301. This has been proposed by educators under the Education Section of this report.

Equal pay legislation

302. Equal pay legislation has been enacted as part of the Bahamas Employment Act 2001.

Work-related benefits

303. The National Insurance Act governs social security benefits and establishes the National Insurance Board and the contributions that employers and employees should pay to the National Insurance Fund. Provisions for benefits include: social insurance for employed, self-employed and voluntary workers. Social insurance is provided by the National Insurance Fund and covers sickness, maternity leave, work related injuries, old age benefits, disability, death benefits and survivor benefits. Widows aged 40 years and over receive survivor pensions and children who are minors, orphans or children over 21 years, in fulltime education. Other benefits include funeral grants, survivor assistance and unemployment assistance.

304. All women are covered by this legislation but they would have to make voluntary contributions if they are not working for an employer, as would any other individual. Wives do benefit from pension plans but the law does not explicitly state that the reverse is the same.

Unpaid domestic work

305. There are no provisions to value unpaid work, in calculating national income statistics and GNP. Most of this is done by women in the home; unpaid work does not currently count towards women's eligibility for retirement and other work related benefits.

Mandatory retirement age

306. The mandatory retirement age for both male and female workers in the Bahamas is 65 years. The voluntary (early) retirement age for both sexes is between ages 60-64 years. Men and women are expected to contribute the same amounts towards their pensions.

Social security legislation

307. Legislation exists as provided by the National Insurance Act which is discussed in paragraph 306 of this report.

Maternity leave and employment security

308. Employment security is not affected by pregnancy under the Maternity Leave Law.

Maternity leave provisions

309. The Bahamas has a comprehensive system of maternity leave with pay. Section 17 and 18 of the Employment Act affords a woman maternity leave at least one week prior to delivery and up to eight weeks after delivery. It allows for a total period of not less than twelve weeks maternity leave. The Act also provides additional protection to pregnant women from work that is hazardous. Maternity leave provides for a minimum of eight leave to a maximum of 16 weeks. Illness related to pregnancy in the first 28 weeks is usually deemed as a gynaecological problem and covered as sick leave. Women who have complications resulting from the confinement for pregnancy may also apply for an additional leave for up to six weeks. Women can also use vacation leave as long as the total period away from work does not exceed 16 weeks. Pregnant officers with more than five years' service are also eligible for an additional six weeks at half-pay as long as the total period away does not exceed 16 weeks.

310. The limitations imposed on the granting of maternity leave are (1) that the employee be employed for at least one year and (2) that she is only eligible for maternity leave by the same employer once every three (3) years. To be eligible for maternity leave benefits from National Insurance, women must have 40 weeks paid contributions. Women would not be eligible for paid maternity leave if they become pregnant twice in three years, which is not uncommon in several Commonwealth Caribbean States.

Parental leave

311. Fathers are eligible to receive one week's family-related leave.

Dismissal of women for pregnancy

312. The Employment Act precludes the dismissal of an employee for becoming pregnant or for any reason connected with pregnancy.

Paid leave

313. Both males and females are eligible for paid vacation leave after a specified period of employment which is usually one (1) year.

Provisions for flexible working patterns

314. The Public Service and some private sector entities have policies that provide for flexi-time.

Marital status and job security

315. This does not apply as marital status does not affect job security.

Health and safety laws

316. The Health and Safety Act 2001 supports the government's ratification of ILO Convention 155. Section 18 of the Health and Safety Act (2001) states: "There shall be an advisory Council for Health and Safety which, subject to the Act, shall be responsible for such matters as the Minister may prescribe. The Council shall consist of a Chairman appointed by the Minister and not less than ten other persons of whom three shall be appointed by the Minister after consultation with such organizations representing employers as he considers appropriate; three shall be appointed by the Minister after consultation with such organizations representing employees as he considers appropriate; one shall be appointed by the Minister of Health; one shall be appointed by the Minister responsible for Building Regulations; one shall be appointed by the Director of Fire Services; and the inspector designated by the Minister of Labour." The Health and Safety at Work Act (2002) also requires the establishment of Health and Safety Committees in any place of employment with more than 20 persons. Women are also protected from hazardous work during pregnancy by the Employment Act 2001.

Restrictions on women's employment

317. There are no legal restrictions on the employment of women.

Child care facilities

318. There are several child care facilities available for working parents. In 1999 there were over 1296 pre-schools catering to children three to five years in 1997/1998. These included 489 public and 807 private institutions. This number has since grown as greater emphasis has been placed on Early Childhood Development.

Legal measures regulating the operation of early childhood facilities

319. The Early Childhood Care Act (2004) addresses the regulation of day care centres and pre-schools.

Percentage of employers providing child care

320. Research is needed to determine the number of employers providing these services and to ascertain the number of children aged 3-6 years in child care.

After-school care

321. In 2005, the St Andrew Presbyterian Kirk opened an after school care programme for children supported by the Ministry of Social Development. It offered tutoring, counseling, and recreational activities as well as spiritual instruction to the students who participated in the programme. The programme operated from 3:15-6:00pm following regular school hours (9-3pm). The Cancer Society of the Bahamas also operated an after school programme for children whose parent are financially deprived. Research is needed to provide more detailed information on the extent of after care services available across the Bahamas.

Breastfeeding policy for the workplace

322. The Bahamas has not ratified ILO Convention 183 and Recommendation 191 the Maternity Protection Convention which supports breastfeeding for working mothers. The country's maternity leave legislation and its HIV and Infant feeding policy both create an enabling environment to support ratification. Ratification would strengthen the principle of daily breastfeeding breaks for working women.

Women and trade unions

323. The Government enacted the Fair Labour Standards Act (2001) which guides the operations of trade unions. As indicated in Article 7 and Article 11 of this report approximately 25 per cent of the workforce is unionized. The percentage of women who are members of trade unions is to be ascertained by further research. However, women's level of unionization in the areas of the labour market that they dominate can be estimated by the information previously reported.

Sexual harassment measures

324. Chapter 99 of the Statute Laws of the Bahamas, The Sexual Offenses Act, provides protection against sexual harassment and violence against women in the workplace. Section 26 outlines the conditions and the penalties which is a fine of five thousand dollars and/or two years imprisonment.

325. The Matrimonial Causes Act 1979 allows a spouse injunctive proceeding against another spouse for harassment. However, this Act gives the Court additional powers in case of a criminal assault upon the wife. Section 6 reads:

“6. (1) If a husband shall be convicted summarily or otherwise of an aggravated assault upon his wife, the court or magistrate before whom he shall be so convicted may, if satisfied that the future safety of the wife is in peril, and with the consent of the wife order that the wife shall be no longer bound to cohabit with her husband.

(2) An order under subsection (1) shall have the force and effect in all respects of a judicial separation on the ground of cruelty and such order may further make provision in respect to:

(a) the maintenance of the wife;

(b) the maintenance and custody of any children of the family, as if such order were an order being made by the court or the magistrate in or ancillary to proceedings for judicial separation under this Act or proceedings pursuant to section 3 of the Matrimonial Causes (Summary jurisdiction) Act.”

Article 12: Ensuring equality for women in access to health care**Measures to eliminate discrimination against women in health care**

326. Women’s health receives special attention especially in the area of reproductive health services which is quite comprehensive. This includes information on reproductive health as well as the role of men in this process. The Government has also incorporated the FLHE Curriculum into all grade levels of school from grades one to twelve.

Efforts to ensure that women have equal access to health care services

327. There are no legislative provisions that specifically ensure equality in access to health care. However, the policy framework is being strengthened to provide health care to all male and female citizens using a life cycle approach. Women and men have equal access to vaccinations, immunization and access to pharmaceutical drugs. Women are however underserved in accessing emergency contraceptives and natal care during and after abortions. Services for pre-menopausal and menopausal women are inadequate.

328. Rural women and women in some family islands are not able to access health services in their respective communities to meet their needs due to numerous islands being under populated.

Pre-natal health care

329. The percentage of women receiving prenatal care improved during the period under review as a result of improved infrastructure and programmes previously mentioned. Ministry of Health's statistics show that in 1999 the average number of antenatal visits per client was 7.3 and the per cent of ante-natal clients seen by 16 weeks gestation was 40.0 per cent. This range was between 6.6 and 6.9 for the period 1990-1998.

Antenatal and postnatal reproductive health services

330. These services are available free of charge in all government clinics. Physical exams, including pap smears, STI screening and breast exams are also offered in addition to a variety of family planning methods. Efforts have also been made to increase access to other reproductive health services. There is now a full time family planning coordinator who oversees family planning in all government clinics across the Bahamas. Clinic hours have been extended to accommodate persons who must access services in the evening. The Male Health Initiative, a component of the Maternal and Child Health Unit of the Ministry of Health was established, to address the concerns of men. The programme also aims to encourage men to take responsibility for their reproductive health, encourages them to be supportive of their partners and to play an active role in the health of their children.

331. Collaboration between the Bahamas Family Planning Association and the Government is focused on implementing an Adolescent Reproductive Health Programme to reduce Teen Pregnancy and STDs in adolescents. The initiative was sponsored by the Japanese funding agency through the Inter-American Development Bank and a quarter of a million US dollars (\$250,000) was provided inclusive of materials and salaries for project personnel.

Nutrition support for pregnant and lactating women

332. Comprehensive Perinatal services with routine iron, folic acid and multivitamin supplements are provided free of charge to clients on the islands through both public and private facilities. However the Ministry of Health's (MOH) data shows that people undernourished as a percentage of the total population (2001-2003) was seven per cent. Poor nutrition of the mother also affects the young. MOH data show that the percentage of live born babies with low birth weight (2,500g) was 10.4 per cent. Ministry of Health's statistics on breastfeeding trends also show areas for concern. The percentage of mothers exclusively breastfeeding at discharge from hospital was 38.0 per cent. At three months it was 8.5 per cent and at one year 4.5 per cent. This underscores the need to promote breastfeeding and to facilitate breastfeeding in the workplace as discussed under employment conditions for women workers.

333. MOH data also showed that the major nutrition related conditions in the age group 15-64 years were hypertension (13.0 per cent) and obesity (48.6 per cent).

Infrastructure: organization and facilities

334. As a mid-island archipelago, successive Bahamian governments have been challenged to implement effective health administration policies and improve physical and socio-economic facilities to ensure that citizens in all the islands can access health care services - even those with the smallest populations. The Constitution does not address the right to health care, but public policies provide a fully subsidized, free pre-natal, neo-natal and postnatal care as well as reproductive health services in public facilities.

335. Health infrastructure has expanded during the period under review. Ministry of Health's statistics indicate that in 2000 there were 5 hospitals with 1,070 beds providing a ratio of 35.1 per 10,000 population. There were 55 Health Centres: 9 (New Providence), 5 (Grand Bahama) and 41 (Family Islands). The total number of satellite clinics for all of the Bahamas was 59. The percentage of the government's Budget for Health (99/2000) was 14.8 per cent. The per capita expenditure on health expenditure was \$445.

336. There has been an increased number of polyclinics as well as the construction, renovation, and expansion of other health care facilities. This has included the mental hospital and a geriatric hospital located on New Providence as well as a general hospital with comprehensive essential obstetric care capability located on Grand Bahama. With expanded polyclinics, maternal and child health clinics, and satellite clinics distributed at strategic locations throughout the islands, access to health care has improved.

337. Health personnel supporting the delivery of Health in 1999 were:

- A. Physicians: 495 and the rate per 10,000 population was 16.6.
- B. Registered Nurses in the public sector: 729 and the rate per 10,000 population was 24.4.
- C. TCN's in the public sector: 466 and the rate per 10,000 population was 15.6.

338. Public health programmes are geared toward improving the health of women, children and the elderly and include preventive as well as routine medical care. The main initiatives are:

- A. The Maternal and Child Health Programme which includes: Reproductive Health, School Health, Lactation Management, Adolescents, Suspected Cases of Abuse and Neglect (SCAN), and Nutrition Programmes;
- B. Expanded Programme on Immunization (which includes immunization of women against, tetanus, rubella and hepatitis B);

C. Communicable Disease Programme;

D. Chronic Non-communicable Disease Programme.

Female mortality and morbidity

339. Data from the Ministry of Health (2000) notes that the main causes of mortality for women in rank order were diseases of the heart, (117.8/100,000); malignant neoplasm's (71.9/100,000); AIDS (59.2/100,000) Diabetes (36.3/100,000) and injuries 31.8/100,000). For men the rating was: AIDS (102.9/100,000); Diseases of the heart (117.1/100,000); Malignant neoplasm's (71.1/100,000); Injuries (113.0/100,000) and Diabetes (32.5/100,000).

340. Hypertension and obesity are major causes of morbidity for women. As Cardiovascular disease (CVD) is the greatest disease burden in terms of morbidity and mortality for men and women, the Government introduced the Chronic Non-communicable Disease (CNCD) Programme which has four functional units which focus on: primary and secondary prevention, management, and surveillance of cardiovascular disease, diabetes mellitus, cancer and asthma.

Maternal mortality

341. The Maternal Mortality Ratio (MMR) adjusted was 60 per 100,000 live births in 2000. According to the World Health Organization (2006) Report, cases of maternal mortality have been on a steady decline and the country is projected to reach the Millennium Development Goal (MDG) targets by 2015. However, there are still considerable challenges but we must move ahead especially in the areas of pre and post natal care for HIV positive women and along with birth asphyxia. It should be noted that there were significant challenges in the data verification and collection in some parts of the country due to its archipelagic nature. The Bahamas has already made substantial progress in reducing its MMR, with 1-4 deaths per year.

Table 55– Maternal mortality statistics for the Bahamas

Year	MMR (per. 100,000 live births)	Births attended by skilled health personnel (%)	Crude Death Rate
1990	16.3	99.5	-
1994	-	-	5.6
1995	-	99.5	5.9
1996	-	-	5.4
1997	-	-	5.8
1998	-	-	6.1
1999	37.3	-	5.5
2000	37.8	99.5	-
2001	18.7	-	-
2003	39.6	-	5.2

2004	8.8	99.5	-
2005	-	-	-
2006	-	99	-

Source: Caribbean Development Bank, Social and Economic Indicators 2005: Borrowing members Countries, Volume XVI and Marshall, Dawn, Achieving the Millennium Development Goals: the Bahamas Progress Report.

Infant and child mortality rates

342. Infant mortality is the death of a child before his or her first birthday. The Human Development Report 2006 notes that the infant mortality rate was 38 per 1,000 live births in 2004. PAHO reports that the infant mortality rate was 17.2 per 1,000 live births in 2003. Sex disaggregated data (1976) showed that for girls it was 32 and for boys 42 and the ratio of girls to 100 boys was 76. Boys experience higher rates of infant mortality than girls.

Table 56- Infant Mortality Statistics For the Bahamas

Year	Infant Mortality Rate	Mortality Rate
1990	24.4	6.4
1994	19.7	
1995	19	4.4
1996	18	
1997	16.4	
1998	13.9	
1999	15.8	
2000	14.8	2.4
2001	12.7	1.9
2003	17.2	3.4
2005	19.6	3.9

Sources: Caribbean Development Bank, Social and Economic Indicators 2005: Borrowing members Countries, Volume XVI, and Marshall, Dawn, Achieving the Millennium Development Goals: The Bahamas Progress Report.p.18

343. The child mortality rate refers to deaths among children 1-4 years per 1,000 population aged 0-4 years. Child mortality rate in the Bahamas is equally low for girls and boys. The child mortality rate for the latest available year was 0.5 for girls and 1.2 for boys^{ix}. Under five mortality rates per 1000 live births in 2004 was 13 per 1,000 live births.^x Achieving the Millennium Development Goals: the Bahamas Progress Report stated that, "Although rates have fluctuated, the number of deaths of children below the age of five has been maintained at

a low level (below 1% of live births) for the past 15 years. Given this low level, a goal reduction by two-thirds is unrealistic and inappropriate – the aim should be to maintain / sustain the low level of mortality.”^{xi}

Women’s life expectancy

344. In the Bahamas, women live longer than men. Life expectancy at birth 2000-2005 was 69.5 years. In 2005 it was 74.5 years for women and 67.9 years for men. The gap between women and men is 6.3 years for the period 2005-2010. In 2000 it was 77.3 for females and 70.7 for males.^{xii}

Crude birth and death rates for men and women

345. The crude mortality/death rate per 1,000 population was higher for males than females. For females it was 5.4 and for males, 6.8. (1995/2000)^{xiii}. In the Bahamas, the mortality rates have only increased marginally in the period prior to 2003^{xiv}. PAHO reports that the estimated crude death rate has remained stable for the period 1995-1997. For women it was 4.8 (1995), 4.9 (1996) and 4.9 (1997). For men it was 6.3 (1995), 6.4 (1996), and 6.4 (1997).

Average number of live births per woman

346. The estimate was 2.3 (2005).

Unmet need for contraceptives

347. Current data was not available.

Contraceptive prevalence

348. Contraceptive prevalence was 60.1 in 1988 the latest year for which data was available. Research is needed on contraceptive prevalence and the unmet need for contraceptives.

Reproductive health services

349. There are no legal or cultural obstacles to women accessing reproductive health services. There is a fully-subsidized government programme which provides expanded contraceptive choices: oral contraceptives, condoms, injectables and intrauterine contraceptive devices. Women are offered screening services for breast and cervical cancer, sexually transmitted infections and immunization against, tetanus, rubella and hepatitis B. All women without regard to marital status have access to family planning services without having to seek authorization from any other source. However, the husband’s authorization is, in practice, sought before the wife can have tubal ligation or sterilization. Contraceptives are offered after delivery and no consent is required from the husband.

Perinatal services

350. Comprehensive prenatal services with routine iron, folic acid and multivitamin supplements are provided free of charge to clients on the islands through public health as well as private facilities. All women accessing services are seen by trained midwives, general practitioners and when necessary obstetricians. Ninety-nine per cent (99%) of all deliveries are at the tertiary level. Decision-making is largely evidence-based with the Perinatal Information System nearing nationalization. There is a comprehensive parenting programme for both antenatal and postnatal women and their partners. Advanced imaging and hematological screening are readily available and access to surgical intervention is provided when necessary.

Lactation management programme

351. This programme encourages the creation of breastfeeding-friendly environments throughout the Bahamas. Women are encouraged to exclusively breast feed their children for at least the first six months of life. In the year 2002, legislation increased provisions of maternity leave and provided twelve (12) weeks paid maternity leave every three (3) years, facilitating women in their bonding process.

School health services

352. All public schools benefit from this programme which seeks to improve the health status of children (from primary to high school) and to minimize their need to miss classes for annual physicals and immunization. Curative care and counseling are also offered when necessary.

Adolescent health services

353. The Adolescent Health Programme provides pre-natal and reproductive health services, encourages the attendance of both male and female clients, although the clientele is mainly female. Clients do not require parental consent for contraceptive services, but parents are encouraged to be involved. A select number of at-risk teenage girls are afforded implant contraception at no charge to the client. The Department of Public Health liaises closely with the Ministry of Education, community and religious groups in order to provide holistic services.

Rape services

354. The majority of clients are females although the service is offered to both sexes. The service is two-tiered for children and adults. A special unit has also been established to address the growing problem of rape. The Suspected Cases of Abuse and Neglect (SCAN) Unit, deals with children while women are channeled through the Emergency Department and the Crisis Centre (NGO) for counseling. All victims are afforded consultation in a private room, offered counseling, STD screening (including HIV), antiretroviral therapy and emergency contraception.

Women workers in the health sector

355. The majority of workers in the health sector are women, most work as nurses, technicians as well as doctors. Sex disaggregated data of the health sector workforce was not available. Additionally, it is not only the Government of the Bahamas that provides secondary and tertiary health care and rehabilitation services. An extensive all-embracing network of private health care is available by means of many private physicians – general practitioners and specialists – and dentists as well as private hospitals and clinics.

Traditional health workers

356. No data was available.

Compulsory family planning

357. There are no laws or policies that require use of family planning measures.

Abortion

358. Abortion is currently illegal in the Bahamas.

359. The Government of the Bahamas still uses the Penal Code of 1924 as the *locus standi* for all matters concerning abortions. The code is very limited in its reference to abortions and allows for abortions to be lawfully permitted under specific circumstances relating explicitly to the preservation of the mental and physical health of the woman and to save the life of the woman. The Code does not prohibit abortion in cases of rape, incest or other exceptions.

360. *The Penal Code of the Bahamas of 1924, as revised (Sections 316, 330, and 334), provides that any act done in good faith and without negligence for the purposes of medical or surgical treatment of a pregnant woman is justifiable although it causes or is intended to cause abortion or miscarriage or premature delivery or the death of the child. Although the Code does not define what constitutes medical or surgical treatment, in practice, the law is interpreted very liberally. Abortions are reportedly performed on the grounds of foetal deformity and rape or incest, as well as on health grounds.*

361. *Abortions are usually performed within the first trimester, although they are often allowed up to 20 weeks of gestation. The abortion must be performed in a hospital by a licensed physician. Government hospitals bear the cost for non-paying patients. Violation of the law is punished by imprisonment for 10 years (Penal Code, Section 316).*

Elective sterilization of women and men

362. No such practice exists in the Bahamas.

Female genital mutilation

363. Female Genital Mutilation is not practiced in the Bahamas.

Dietary restrictions for pregnant women

364. There are no known practices in the country.

HIV/AIDS and Sexually Transmitted Diseases (STD's)

365. HIV and AIDS are major concerns in the Bahamas. In 2000, women accounted for 43.4 per cent of the 320 new cases identified. AIDS also ranked as the third highest cause of death among women and the first for men in the Bahamas. In 2005, HIV prevalence (per cent ages 15-49) was 3.3 (1.3-4.5). While the Bahamas has one of the highest ratios of persons living with HIV/AIDS in the English-speaking Caribbean, it was the only country in the region to reduce the rate of HIV infection. This is commendable as the Caribbean has the second highest rate of infections in the world.

366. Despite their increased risk from violence, rape incest, and sexual harassment, women are still the lost epidemic in Bahamian HIV/AIDS programming. Much of the data present refer to women in other areas involving pregnancy and substance use. Evidence suggests that few programme interventions target women specifically as a demographic group.

367. There is no data to suggest the use of gender-sensitive approaches to health care services that meet the needs of women outside of the framework of pregnancy and reproductive illnesses. The links between gender and HIV and AIDS need to be addressed more systematically to build awareness of how HIV impacts women and men differentially.

368. Future projections of the extent of the HIV/AIDS epidemic and Bahamian women would suggest that cannot be made with any precision; the outcome for the future ultimately rest with the regulatory bodies and other stakeholders to provide a strengthened multi-sector response

369. Measures introduced to increase public awareness of HIV and AIDS included: Antiretroviral therapy for women and men who are HIV positive; prevention of mother-to-child transmission; antenatal treatment for pregnant women; policy to provide information, education, communication and prevention (IECEP) to the most at risk groups; policy to expand access to vulnerable communities; percentage HIV positive women and men receiving antiretroviral and the percentage of most at risk populations reached by prevention programmes. Target populations are MSM, sex workers and injecting drug users.

370. Women attending ante-natal clinics receive counseling and testing for HIV as well as information to raise awareness of the risks of infection. The Government also provides total funding for AZT treatment to HIV infected pregnant women which reduces infant mortality rates from HIV infection. Women have also received specialized training on HIV but there are

no other programmes that specifically address the issues of gender and HIV. Legislation makes it a criminal offense for anyone willfully infecting another person.

Family planning and male involvement

371. The Bahamas has the highest health expenditure per capita of the Latin America and Caribbean (LAC) region (maintained above US\$ 567 per capita since 1998). Family planning services have been available in all Government clinics since 1997 and also at the Bahamas Planned Parenthood Association clinic. Services offered include a full range of contraceptive methods, as well as counseling, education, information and physical tests. In 1997 the Government also established a programme to improve the quality of prenatal and neonatal health care. Sex and family life education is now mandatory in school curricula. The Government has recently changed the regulations regarding adolescent pregnancy: girls can now attend school both during their pregnancy and after delivery.

372. Although given the commitment of the Government of the Bahamas to improve family planning throughout the country to date these actions have failed to be effectively actualized. In the statement presented to the United Nations Population Fund Hague Forum given in 1999 the honorary representative outlined several initiatives to include gendered approach to Family Planning in keeping with the Cairo Platform of Action. A National Family Planning Policy was drafted proposing the use of an age-sensitive sexual education programme for use in all schools.

373. The Government of the Bahamas has instituted various programs aimed at promoting healthy lifestyles. These include the promotion of good nutrition and healthy lifestyles. An assessment of the causes of morbidity and mortality among Bahamian women has been undertaken and recommendations are being considered. These represent progressive initiatives to advance women's health. Other health sector challenges to be addressed include: nutrition disparities between boys and girls, special health services for women and for men and the need to increase resources to improve women's health throughout their lifecycle. The health needs of older women are not adequately addressed and this is urgent given longer life expectancy projected overall but particularly for women.

Article 13: Ensuring equality for women in economic and social life in the Bahamas

Access to family benefits

374. The National Insurance Act and the Employment Act provide a framework for promoting equality in social and economic benefits. Overall, considerable efforts are being made by the Government of the Bahamas and Bahamian society to improve the social benefits to women.

Women's access to credit

375. Despite commitments to the Millennium Declaration and CEDAW, women presently face inequality with men in the area of economic benefits, although trends indicate that women are making significant strides in reducing this inequality. The labour force participation rates have been consistently lower than that of men. But, the gap has been narrowing in the last decade. Between 1980 and 2000, women's economic activity rate increased by 11 per cent, moving from 57 per cent in 1980 to 68 per cent in 2000. In comparison, the change for men was marginal moving from 72, to 78 to 80 in the respective years. In 2004, female economic activity rate (% aged 15 and older) was 64.5 per cent.

376. Female economic activity as a percentage of the male rate aged 15 and over (2004) was 91 per cent. Male employment was lower in agriculture 1 per cent for the period compared with 6 per cent for females. Female employment in industry was 5 per cent compared to 24 per cent for males. In services the rate for females was higher - 93 compared to 69 for the period 1995 – 2003. Bahamian women have the highest economic activity rate in the region, and the Government of the Bahamas continues to encourage and promote women in throughout the country. To encourage more women to become entrepreneurs, the BWA has organized public fora to promote women entrepreneurs and to improve financial empowerment.

Access to bank loans, mortgages and other forms of financial credit

377. As a well recognized international financial centre, the Bahamas has developed a comprehensive financial structure which recognized long ago that providing financial credit to women was essential to attracting qualified customers/investors. The Bahamas does not have any restrictions for women regarding access to any form of financial credit. Furthermore, the Government of the Bahamas has developed sufficient legislative safeguards to ensure that all individuals in the Bahamas are afforded an equal opportunity to access financial credit regardless of gender differences. Women in the Bahamas have few impediments to acquiring financial credit from financial institutions throughout the Bahamas as long as they meet the requirements of their respective financial institutions. Women in the Bahamas are not required to obtain the consent of their husband or male guardian in order to access financial credit.

378. In addition, as more women are presently employed throughout the Government of the Bahamas, the government in tandem with financial institutions throughout the country has agreed to enable individuals employed with the government preferential access to credit through salary deductions which are guaranteed by the individual's employment in the Bahamian Public Service.

Rights to participate in recreational activities, sports and cultural life

379. There are no legal, social or other restrictions which forbid women in the Bahamas from participating in any form of recreational activity, sports or from become instrumental in the development of Bahamian culture. In fact, women in the Bahamas have long been recognized

for their accomplishments in international sports, as they have and continue to represent the Bahamas in domestic, regional and international sporting events.

Article 14: Rural women

Status of rural women in the Bahamas

380. The structure of the Bahamian population and its density, results in a very small rural population. In the Bahamas only 15 per cent or (45,785/303,611) persons live in rural communities/Family Islands. Additionally, the age structure in the rural communities are comprised of mostly young persons and elderly persons, as the majority of persons migrate either to New Providence, Grand Bahama, Abaco or abroad for suitable employment opportunities. Although the majority of Bahamians thrive on tourism and financial services, rural women do not benefit as much from these industries which are primarily located in New Providence. Therefore, special measures are needed to assist them and their families.

381. Due to the difficulties in achieving adequate development of the Bahamian archipelago which comprises around 700 islands and cays spread over vast swathes of ocean, the Family Islands have experienced tremendous difficulty in attracting sufficient investments. A major problem for successive Government of the Bahamas has been the inability to stimulate the economies of Family Islands due to their geography, low population numbers; and lack of sufficient infrastructure.

382. Geography: These Family Islands are located far away from the capital and major trading centers which increase the costs of their exports and imports.

383. Low Population Numbers: Prohibit industries from re-locating from more developed parts of the Bahamas due to the lack of potential employees of working-age throughout these communities.

384. Infrastructure: Successive Governments of the Bahamas have been constricted by their financial ability to provide sufficient infrastructure throughout the Family Islands due to the majority of the population residing in either New Providence or Grand Bahama. Governments of the Bahamas have long recognized that the capital Nassau needed to become the primary engine for the development of the entire Bahamian archipelago due to its geographic characteristics, and ability to accommodate and employ the populace of the Bahamas.

385. In recent times, the Government of the Bahamas has reaffirmed its intention to develop sufficient infrastructure throughout the Family Islands so that all islands throughout the Bahamian archipelago could benefit from the economic prosperity of Bahamian development. Therefore, the Government has begun to address infrastructural deficiencies throughout the Family Islands on a systematic basis. Although the Family Islands do not have the same level of infrastructure as either New Providence or Grand Bahama, projects have been approved which would significantly improve the level of infrastructure throughout the more populated

islands. The Government of the Bahamas recognizes that the development of the Family Islands will take time, as the Government of the Bahamas must maintain economic vigilance in order to improve the quality of life for all individuals throughout the country.

Rural women's participation in development planning

386. Rural women are actively engaged in numerous facets of development planning for both their communities and also those established for the entire country, however there needs to be more women included in all aspects of development planning. The Government of the Bahamas, along with the BWA, women's NGOs and other civic groups must begin to proactively address the role of women in all aspects of development planning throughout the Family Islands, and must begin to develop campaigns geared at qualitatively and quantitatively improving women's participation in development planning.

Rural women's access to adequate health care facilities

387. Unfortunately rural women, as well as well as their male counterparts and their children, have not been enabled to access adequate health care facilities in their respective communities, which is also true for all other individuals throughout rural communities. The Government of the Bahamas established clinics and health care facilities throughout its archipelago which attempts to satisfy the needs of rural communities, however more advanced health care issues must be dealt with in more populated areas. Due to economic, human resource and population constraints more advance health care facilities are found in New Providence and Grand Bahama. Research has suggested that the Family Island communities have not reached a sufficient threshold that justifies the development of advance health care facilities. Based upon the 2000 Census, Abaco with a population of 13,170 would become the most likely candidate to obtain advanced health care facilities in the near future.

388. In addition, the Government of the Bahamas has established adequate safeguards which enables persons in the Family Islands or rural communities the ability to visit advanced health care facilities in New Providence or Grand Bahama, in the event that health care facilities in their communities are unable to satisfy their medical requirements.

Rural women's access to social security benefits

389. Any individual who works in the Bahamas and meets the minimum requirements established by the National Insurance Board (NIB) is entitled to access social security benefits. The Government of the Bahamas has also enacted domestic legislation that enables all persons, whether legal or illegal residents to access social security benefits which provide an ample security net in the event of economic hardships.

Rural women's ability to obtain education and training

390. Rural Women have unrestricted access in their ability to obtain satisfactory education and training opportunities in their communities and throughout the country. While most rural women and men attend their local schools up until high school, those who desire additional education either migrate to the capital to attend the College of the Bahamas or go overseas to finish their educations. While the Government of the Bahamas has provided access to grants, scholarships and loans which can help rural women, additional research is required to ascertain the extent to which rural women benefit from these existing programs.

Rural women's ability to actively participate in community activities

391. Rural women actively participate in community affairs throughout their respective communities/Family Islands. In fact, with such small population numbers, women often are empowered to substantially contribute in all aspects of community affairs. There are no legal or social restrictions which would limit the ability of rural women in the Bahamas to participate in any aspect of community development.

Rural women's ability to enjoy adequate living conditions

392. Rural women have the ability to enjoy adequate living conditions as do all individuals throughout the Bahamas. Although rural women may be constricted by their financial positions due to the lack of sufficient employment options throughout rural communities, individuals in rural communities posit that the quality of life in these communities far outweighs the quality of life in the urban areas of the Bahamas.

Article 15: Equality before the Law

Equality in treatment

393. Women are treated equally with men with respect to their legal capacity to conclude contracts and administer property by virtue of Article 15 of the Constitution which outlines the fundamental rights and freedom of the individual and that those rights are secured regardless of his race, place of origin, political opinions, colour, creed or sex. In addition, provision is made in the Married Women's Property Act Ch. 129 that contracts entered into by married women shall bind them separately. That section provides –

“16. Every contract hereafter entered into by a married woman, otherwise than as agent –

(a) shall be deemed to be a contract entered into by her with respect to and to bind her separate property whether she is or is not in fact possessed or entitled to any separate property at the time when she enters into such contract;

(b) shall bind all separate property which she may at the time or thereafter be possessed of or entitled to;

(c) shall also be enforceable by process of law against all property which she may thereafter while discover be possessed or entitled to:

Provided that nothing in this section contained shall render available to satisfy any liability or obligation arising out of such contract any separate property which at that time or thereafter she is restrained from anticipating.”

Women’s administration of property

394. Women and men have the same rights to administer property. Section 6(1) of the Interpretation and General Clauses Act, Ch.2 provides that “words and expressions importing the masculine gender include the feminine”. The Administration of Estates Act, Ch. 108 which makes provision for the administration of a deceased person’s property defines the terms ‘administrator’ and ‘personal representative’ making reference to the masculine gender. Relying on section 6(1) of the Constitution which states that words and expressions importing the masculine gender include the feminine it means therefore, that women have the same rights as men to administer property and can be executors or administrators of an estate. In addition, under the executors Act, Ch. 119 which makes better provision for the disposal of the indisposed residues of the effects of testators, the acts of women are not restricted.

Equality in women’s disposal of property

395. Women have the right to administer property without interference or consent by a male, regardless of whether they acquire it during marriage, bring it into marriage by virtue of the Married Women’s Property Act, Ch. 129. In that Act, provision is made as follows:

“2. A married woman shall, in accordance with the provisions of this Act, be capable of acquiring with the provisions of this Act, be capable of acquiring, holding and disposing by will or otherwise, of any real or personal property as her separate property, in the same manner as if she were a femme sole, without the intervention of any trustee...

3. Every woman who marries after the commencement of this Act shall be entitled to have and to hold as her separate property and to dispose of in a manner aforesaid all real and personal property which shall belong to her at the time of marriage, or shall be acquired by or devolve upon her after the marriage, including any wages, earnings, money and property gained or acquired by her in any employment, trade or occupation, in which she is engaged, or which she carries on separately from her husband, or by the exercise of any literacy, artistic or scientific skill.” And in section 6 –

“6. Every woman married before the commencement of this Act shall be entitled to have and hold and to dispose of in manner aforesaid as her separate properly all real and personal

property, her title to which, whether vested or contingent, and whether in possession, reversion, or remainder, shall accrue after the commencement of this Act, including any wages, earnings, money and property, so gained or acquired aforesaid.”

Women’s access to justice

396. Women have both the capacity to sue and be sued under the laws of the Bahamas. According to section 8 of the Married Women’s Property Act, Ch. 129 –

“8. Every woman, whether married before or after this Act, shall have in her own name against all persons whomsoever, including her husband, the same civil remedies, and also (subject, as regards her husband, to the proviso contained in section 95 of the Penal Code) the same remedies and redress by way of criminal proceedings, for the protection and security of her own separate property, as if such property belonged to her as a femme sole, but, except as aforesaid, no husband or wife shall be entitled to sue the other for a tort. In any information or other proceeding under this section it shall be sufficient to allege such property to be her property; and in any proceeding under this section a husband or wife shall be competent to give evidence against each other, any Act or rule of law to the contrary notwithstanding.”

397. Female lawyers are entitled to represent clients before courts and tribunals in accordance with the Legal Profession Act, Ch. 64 which makes provision with respect to the practice of law by persons in the Bahamas, for the admission of persons to such practice, for the creation of a registered associate and legal executive, for the conduct and discipline of registered associates, legal executives and persons admitted to practice, and for matters incidental to or connected with the aforesaid matters and affords the same privileges to women as those enjoyed by men.

398. Women are permitted to serve both in the Supreme Court and the Court of Appeal of the Bahamas. At present there are five female Supreme Court Justices and the President of the Court of Appeal is a female.

Jury service

399. Women are allowed to serve as jurors by virtue of the Juries Act, Ch. 59 which provides that “...every person age twenty-one years and over and resident in a sittings district shall be qualified for jury service.”

Legal aid

400. Women do have access to legal services. Article 20 of the Constitution provides –

“(2) Every person who is charged with a criminal offence –

(d) shall be permitted to defend himself before the court in person or, at his own expense, by a legal representative of his own choice or by a legal representative at the public expense where so provided by or under a law in force in the Bahamas.”

Women’s freedom of movement

401. There are no customs or traditions that restrict women from exercising their right to freedom of movement and choice of residence within the Bahamas. Freedom of movement is one of the fundamental rights and freedoms of persons living in the Bahamas and is enshrined in Article 6 of the Constitution –

“(1) Except with his consent, no person shall be hindered in the enjoyment of his freedom of movement, and for the purposes of this Article the said freedom means the right to move freely throughout the Bahamas, the right to reside in any part thereof, the right to enter the Bahamas, the right to leave the Bahamas and immunity from expulsion therefrom.”

402. The domicile of a woman is independent of that of her husband. A married woman’s domicile is ascertained by reference to the same factors as in the case of any other individual capable of having an independent domicile.

403. Under the provisions of the Constitution of the Bahamas, women who emigrate to work temporarily in other countries have the same rights as men to have their spouses, partners and children join them. According to Article 25:

“25. (1) Except with his consent, no person shall be hindered in the enjoyment of his freedom of movement, and for the purposes of this Article the said freedom means the right to move freely throughout the Bahamas, the right to reside in any part thereof, the right to enter the Bahamas, the right to leave the Bahamas and immunity from expulsion therefrom.”

Article 16: Ensuring equality for women in marriage and family life

Women’s right to marriage

404. Family relations are governed by statute law and common law. The Constitution of the Bahamas does not provide gender equality for women when marrying a foreign spouse and his entitlement to citizenship and also as regards the citizenship of their children born outside of the Bahamas whose father is not Bahamian. However, the Government of the Bahamas has enacted substantial legislation to mitigate any constitutional constraints regarding women’s equality regarding their rights to marriage, and the transmission of citizenship.

Non-married co-habitants

405. The types or forms of families that exist in the Bahamas are legal marriages and common law unions. Marriages are recognized by the State.

406. The rights recognized under the law of persons who live together as husband and wife extends only to obtaining protection orders where there has been abuse. This is provided for under the Domestic Violence (Protection Orders) Act, 2007.

407. In addition, under the Status of Children's Act, Chapter 130, children born outside of wedlock are regarded as having equal status to those children born inside a marriage.

Freedom to choose a spouse

408. Men as well as women are free to choose a spouse.

Women's rights and responsibilities during marriage

409. Both men and women are under the same obligations during marriage.

Women and polygamy

410. Polygamy is not permitted by law.

Women's marriage protections

411. The rights recognized under the law of persons who live together as husband and wife extend only to obtaining protection orders where there has been abuse. This is provided for under the Domestic Violence (Protection Orders) Act, 2007.

Women's right to choose a profession

412. Men and women have the same rights to choose a profession and women do exercise their right to choose a profession. This right is not affected by marriage.

Equal rights to property ownership

413. Married women have an equal voice with their husbands in the maintenance and disposal of property. In fact according to section 2 of the Married Women's Property Act:

“2. (1) A married woman shall, in accordance with the provisions of this Act, be capable of acquiring, holding and disposing by will or otherwise, of any real or personal property as her separate property, in the same manner as if she were a femme sole, without the intervention of any trustee.

Women's equality in divorce

414. A petition for divorce may be presented to the court either by the husband or the wife on the same grounds i.e. adultery, cruelty, desertion, has lived separate and apart for a continuous

period of five years immediately preceding the petition or guilty of homosexual act, sodomy or sexual relations with an animal, except that a wife may also petition on the ground that her husband has since the celebration of the marriage been found guilty of rape.

415. Divorces in the Bahamas are recorded in the Supreme Court's Registry.

416. Women have a right, an equal right to maintenance on divorce as well as pending the hearing of the application. According to section 26 of the Matrimonial Causes Act, Ch. 125:

“26. On a petition for divorce, nullity of marriage or judicial separation, the court may make an order for maintenance pending suit, that is to say, an order requiring either party to the marriage to make to the other such periodical payments for his or her maintenance and for such term, being a term beginning not earlier than the date of the presentation of the petition and ending with the date of the determination of the suit, as the court thinks reasonable.”

417. Further, in section 27, on granting a divorce, nullity of marriage or judicial separation the court may grant one order or a combination of orders. For example, inter alia, periodical payments for a specified time or lump sum payments lump sum payments either for the benefit of the other party to the marriage or for the benefit of a child of the family.

418. The Court may grant property adjustment orders namely, a transfer of property, settlement of property or for a variation of settlement. In determining financial provisions or property adjustment the court, according to section 29(1) (g) of the Matrimonial Causes Act, Ch. 125, is under a duty to consider a number of matters including the contribution made by each of the parties to the welfare of the family, including any contribution made by looking after the home or caring for the family.

419. The courts recognize the rights of those who live together as husband and wife without legal marriage with respect to property during the relationship and on its breakdown but there is no legislative provision for the recognition of such.

Women's protections against domestic violence

420. Previously, the law governing the abuse of wives was set out in the Sexual Offences Act, Ch. 99. A new Act, the Domestic Violence (Protection Orders) Act, 2007 has been passed to repeal and replace those provisions in the Sexual Offences and Domestic Violence Act which address abuse so that not only wives but de facto wives may obtain protection orders against a perpetrator of abuse.

421. Women and men share the same rights in relation to making decisions regarding the upbringing of their children provided that such parent has been responsible – Domestic Violence (Protection Orders) Act, 2007.

Custody of children

422. With respect to custody of children woman and men share equal rights irrespective of marital status. Section 7 of the Guardianship and Custody of Infants Act, Chapter 132 states –

“7. (1) The court may upon the application of the father or mother of a child, make such order as it may think fit regarding the custody of such child and the right of access thereto of either parent....”

423. However, custody of children is affected where the court determines that either party to the marriage has willfully neglected to maintain the child of the marriage.

424. Women have the same rights as men with respect to the guardianship and custody of children according to the Guardianship and Custody of Infants Act, Ch. 132. If the father of a child dies, the mother if surviving shall (subject to the provisions of the Act) be the guardian of the child, either alone or jointly with any guardian appointed by the father. Similarly, if the mother of a child dies, the father if surviving shall (subject to the provisions of the Act) be the guardian of the child, either alone or jointly with any guardian appointed by the mother. Moreover, section 6 of the Guardianship and Custody of Infants Act provides that “the mother of a child shall have the like powers to apply to the court in respect of any matter affecting the child as are possessed by the father.”

Child adoption

425. With regard to the adoption of children, men and women enjoy similar rights except that according to section 6(2) of the Adoption of Children Act, Ch. 131 –

“(2) An adoption order shall not be made in any case where the sole applicant is a male and the infant in respect of whom the application is made is a female unless the court is satisfied that there are special circumstances which justify as an exceptional measure the making of an adoption order.”

426. According to section 74 of the Matrimonial Causes Act, Ch. 125, the court may make such order as it thinks fit for the custody and education of any child of the family who is under the age of eighteen but in practice women usually obtain custody of children.

Child maintenance

427. According to section 4 of the Matrimonial Causes (Summary Jurisdiction) Act, Ch. 126, the court may make a matrimonial order containing inter alia:

“(g) a provision for the making by the defendant or by the applicant or by each of them for the maintenance and education of any child of the family of weekly payments and of such periodical lump sum as the court may determine....”

428. Single mothers have the right to appropriate child support from the putative father of a child by virtue of the Affiliation Proceedings Act, Ch. 133. Under the Affiliation Proceedings Act, a mother may apply to the Magistrate's Court for an affiliation order. Section 7 provides –

“(2) Where the court has adjudged the defendant to be the putative father of the child, it may also, if it thinks fit in all the circumstances of the case, make an order against him (referred to in this Act as an “affiliation order”) for the payment by him of –

(a) a sum of money weekly and, if the court sees fit, in addition a lump sum payable at such times as the court may determine for the maintenance and education of the child”.

429. Where there has been a default in payment the mother may make an application to the Magistrate's Court and the defaulter is liable to be imprisoned.

Age of sexual consent

430. According to the Sexual Offences Act, Ch. 99, the minimum legal age of consent to sexual intercourse for both men and women is 16 years and consequently any person who engages in unlawful sexual intercourse with a person less than 16 years is guilty of an offence. According to section 20 of the Marriage Act, Ch. 120, the minimum age of marriage without consent is age 18, however a person under 18 who intends to marry requires the necessary consent unless the Supreme Court certifies that the proposed marriage appears to be proper.

431. In accordance with the provisions of the Registration of Records Act, Ch. 187 and the Marriage Act, marriages are required by law to be registered. The procedure for such registration is in fact enforced and is stipulated in the Marriage Act, as follows –

“27. Immediately after the solemnization of a marriage the marriage officer before whom it is solemnized shall register it in duplicate, that is to say, firstly in a book to be kept by him for that purpose, called the marriage register, and secondly on a separate form, such registration shall be in the form given ...and shall be signed by the parties married, by two witnesses and by the marriage officer.

28. After such registration of a marriage as aforesaid, the marriage officer shall transmit the duplicate register to the Registrar General and shall without payment of any fee; deliver to each of the parties married a copy of the original register of the marriage certified under his hand to be a true copy.

29. The duplicate register transmitted by the marriage officer to the Registrar General shall be filed and safely preserved by him in the general register office.”

432. While there is no legislative requirement that divorces be similarly registered, such divorces are recorded in the Supreme Court Registry.

433. Information regarding the minimum age of marriage, consent to marriage and registration of marriage is contained in the Marriage Act, Ch. 120 but there is no dissemination of information to the public per se.

434. The right to dower has been abolished in the Bahamas.

Inheritance

435. In the Bahamas, inheritance is governed by the Wills Act, Ch. 115 and the Inheritance Act, Ch. 116. The Wills Act seeks to make provision for inheritance under a will while the Inheritance Act makes provision for inheriting where the deceased has died intestate. Under the Wills Act a beneficiary is entitled in accordance with the provisions of the will while the Inheritance Act sets out the order of distribution on intestacy. For example -

“4. (1) The residuary estate of an intestate shall be distributed in the manner mentioned in this section, namely-

(a) if the intestate leaves a husband or wife and no children the surviving husband or wife shall take the whole residuary estate;

(b) if the intestate –

(i) leaves a husband or wife and –

(A) one child, the surviving husband or wife shall take one half of the residuary estate and the remainder shall go to the child;

(B) children, the surviving husband or wife shall take one half of the residuary estate and the remainder shall be distributed equally among the children;

(ii) leaves children but no husband or wife, the residuary estate shall be distributed equally among the children and where there is only one child that child shall take the whole residuary estate; ...”

436. Also, women are entitled to acquire the matrimonial home in which they reside whether their spouse died testate or intestate. This benefit also applies to men.

437. Additionally, women (and men) are also entitled to apply to the court for an order under section 13 of the Inheritance Act on the ground that the disposition of their husband's estate affected by his will is not such as to make reasonable financial provision for her.

438. Widows and widowers have special rights and obligations under the Pensions and National Health Insurance Acts, Chapters 43 and 350 respectively.

439. Widows and daughters of a deceased man do have a legal right equal to that of widowers and sons, to inherit if the deceased died intestate. Such entitlement is provided for in Inheritance Act, Ch. 116. By virtue of Section 3 of the Inheritance Act, with regard to the real and personal estate of every person dying after the commencement of the Inheritance Act, all existing modes, rules and canons of descent and of devolution by special occupancy or otherwise of real estate, or of personal estate were abolished.

440. Widows and daughters can receive property under a will as a testator enjoys testamentary freedom.

441. There is no legal or customary restraint on a testator bequeathing the same share of property to widows and daughters as to widows and sons; testators enjoy testamentary freedom. However, see 16:36 above.

442. There is no law regulating the marriage of a widow to her deceased's husband's brother. There is however the Marriage with Deceased Wife's Sister Act, Ch. 122 which declares that where a man has, whether before or after the passing of this Act, and whether in the Bahamas or elsewhere, married his deceased's wife's sister the marriage, if legal in all other respects, shall be, and shall be deemed always to have been, legal for all purposes, unless either party to the marriage has subsequently, during the life of the other, but before the passing of this Act, lawfully married another.

Summary

443. The Government of the Bahamas is convinced that the prevailing ethos throughout the international community to eliminate all aspects of gender inequality is a just cause. The Government of the Bahamas recognizes that it has to become more proactive in its efforts to ensure that all women in the Bahamas have an ability to fully integrate themselves throughout all development aspects of the Bahamas. The Government of the Bahamas perceives that its submission of its initial, second, third; and fourth periodic State report for the Convention on the Elimination of All Forms of Discrimination serves as a reaffirmation of the Government of the Bahamas to fulfill both its domestic and international obligations regarding improving all aspects of gender inequality for women. Although the Bahamas faces numerous obstacles which need to be resolved, women throughout the Bahamas have achieved tremendous success in numerous areas of concern throughout the country.

444. For the period under review (1993-2006), the Government of the Bahamas is pleased to report that the Bahamas has virtually accomplished its international obligations in enhancing the abilities of women throughout the country. The Government of the Bahamas has also been proud of its capacity to outperform richer industrialized countries in a plethora of social and economic issues pertaining to reducing gender inequalities for its female populace. However, the Government of the Bahamas recognizes that although much work still remains, it has already begun to deconstruct obstacles which can prevent women in the Bahamas from achieving unconditional equality throughout the Bahamas.

445. Statistics included in this State report, and developed by respectable international organizations such as the United Nations have also authenticated the endogenous success achieved by the Government of the Bahamas for the period under review. Although the Government of the Bahamas is proud of its accomplishments, the government has already adopted a proactive approach which is forward looking, and that has already begun to establish potential policies which can only strengthen women's rights throughout the country. Fortunately, women throughout the Bahamas have become encouraged by national efforts to reduce all barriers to developing a uniquely Bahamian society which will not tolerate any form of gender discrimination.

ⁱ Office of the United Nations High Commissioner for Human Rights Website, [URL: <http://www2.ohchr.org/english/bodies/ratification/8.htm>], 17 September, 2008.

ⁱⁱ The initial report was due 1994, the second 1995-1999, the third 2000-2004 and the fourth 2005-2008.

ⁱⁱⁱ United Nations Human Development Report 2007/2008.

^{iv} The United States of America's State Department, 2000 US State Department Human Rights Report.

^v CARICOM (2004), Women and Men in the Caribbean Community: Facts and Figures 1980-2001, Guyana, CARICOM.

^{vi} (http://www.bahamasb2b.com/dir/Churches_and_Religion/)

^{vii} See Annex – on the Employment Act 2001.

^{viii} Interview with Dr. R. Chipman-Johnson, Vice-President of the College of the Bahamas.

^{ix} CARICOM 2003.

^x The United Nations Human Development Report 2006/07.

^{xi} Marshall, Dawn, Achieving the Millennium Development Goals: The Bahamas Progress Report.

^{xii} CARICOM 2003.

^{xiii} Ibid.

^{xiv} Ibid.

Table 18 – Women in Top Political Leadership Positions

	1990			2002		
Position	Women	Men	Total	Women	Men	Total
Senators						
Member of Parliament						
Total	5	60	65	15	41	56
(%) Distribution	8	92	100	27	73	100
	1990/91			2000/01		
Legislators	1879	3728	5607	5268	8108	13376
(%) Distribution	34	66	100	39	61	100

Source: National Report for the Bahamas on the Statistics of Women, 2004

Table 18 – Women in Top Political Leadership Positions 1995 & 2006

	1995			2006		
Position	Women	Men	Total	Women	Men	Total
Members of Parliament	4	45	49	9	32	41
Members of Cabinet	3	10	13	4	12	16
Members of Senate	3	13	16	9	6	15

Source: Bahamas Handbook and Businessman's Annual, 1995 and 2006