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I Am A Girl NGO Statement: UPR Pre-Session 43

Location: Palais des Nations, Geneva, Switzerland
Date & Time: Thursday, 6th April 2023, 10:15 a.m.
Representative: Mrs. Alian Ollivierre-Skeete
Title: Executive Director, I Am A Girl NGO
Territory: Barbados

Slide 1:

Dear members of the UPR Pre-session,

I am here to draw your attention to the human rights issues faced by girls and young women in Barbados.

Slide 2:

Despite some progress in recent years, girls and women in Barbados continue to face a range of challenges that negatively impact their ability to exercise their fundamental human rights.

We have seen a shift in Barbados in promoting gender equality, and there have been various movements towards legislative reform; however, there are still several areas where girls are severely affected by discrimination.

One of the most pressing issues is the prevalence of gender-based violence and abuse, which disproportionately affects girls. Many girls in Barbados experience these violations both within and outside the home, with rising numbers of incest, and there are concerns that this violence is not being adequately addressed or prevented.

While the Sexual Offences Act Cap. 154 aims to address many of the concerns outlined in previous reviews there are still quite a few disparities that place girls and young women at ongoing risk.

For example, in the context of rape and sexual violation, Section 23 of the Act speaks to the emission of seed, meaning that penetration without ejaculation is still rape, yet the same Act speaks to the fact that boys under the age of 14 cannot legally carry out the act of rape, on the premise that boys prior to aged 14 do not produce seed (i.e. semen).

Also, for quite some months in Barbados rape kits taken in instances of sexual violation have not been examined. As such significant delays in results mean there will naturally be delays in justice for the victims of these violations.

Slide 3:

We recommend:

- Further review and adjustment to the Sexual Offences Act.
- Adequate haste in equipping the lab with a new building to ensure that no further delays occur for justice with sexual abuse cases.
- In the immediate, put resources in place to carry samples to neighbouring islands, to be tested for speedy results.

Slide 4:

In Barbados today, many cases of domestic violence are still hidden or disregarded. Reports made to officers are still callously treated and many are still retracted. Protection orders are scorned and as a result, women are still being killed.

While it is important to acknowledge that the number of such brutal killings has reduced significantly, we maintain that one life lost to domestic violence is one too many. In short, domestic violence is still a threat to the full citizenship and participation of our girls and women, despite the existence of the amended Domestic Violence Act.

Generally, court officials are still reluctant to acknowledge and respond to the seriousness of these issues based on written law.

Women, and in some instances girls who have become women because of the length of their case being tried, go to court and leave feeling as though they have received no justice, while their own personal rights have been violated.

The justice system is constantly criticized for being slow and ineffective, and there are concerns about access to legal aid and support for marginalized communities.

Court orders are being breached daily and in recent times, such behaviour has been attributed to two deaths. Also, most of the child sexual abuse within Barbados is perpetrated by a person known to the child.

Slide 5:

In solidarity with the National Organization of Women and all other affiliates in Barbados, we hereby propose the following:

1. The identification and selection of a Domestic Violence Court – a specific court to address the areas of domestic violence and sexual offenses
2. At least specially assigned magistrates, fully trained in domestic violence law, and competent in the administration of such, to oversee cases in this court
3. Training of staff of such court in domestic violence law and in the administration of such

4. Mandatory counselling for perpetrators of domestic violence

Slide 6:

5. Mandated counselling for victims of domestic violence (especially after court appearances)
6. Legislation as it relates to house calls in connection with domestic violence
7. Stiffer penalties for sexual offenses against children especially as it relates to incest and molestation

I urge the Pre-session to consider these issues and make appropriate recommendations to the Government of Barbados in the upcoming UPR review so that the country can continue to make progress toward ensuring the full realization of human rights for all its citizens.

We also encourage more consistent engagement with civil society and girls themselves, to ensure their perspectives are heard and incorporated into policy and programmes.

Slide 7:

Thank you for your attention to these important human rights issues affecting girls in Barbados.