



Confronting Gender-Based Violence in the Caribbean

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Justice

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Presentation

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When one considers the whole issue of gender-based violence one immediately conjures up in one's mind violence against women despite the gender-neutral term used to include the all-pervasive scourge of violence committed against both male and female victims. With increasing frequency, males (boys and adult men) are becoming victims of violence perpetrated against them by females. However, it is an acknowledged fact that in the overwhelming majority of incidents of violence women are the victims.

The Declaration on the Elimination of Violence Against Women¹, defines violence against women as *“any act of gender-based violence that results in, or is likely to result in, physical, sexual, or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or private life. It encompasses, but is not limited to, physical, sexual and psychological violence occurring in the family”*.

This multi-faceted problem which crosses all lines of age, ethnicity and societal positions violates fundamental human rights guaranteed under **The Universal Declaration of Human Rights²**, and will be discussed in all of its hideous forms.

¹ Adopted by the United Nations General Assembly on 20 December, 1993, G.A. Res. 48/104

² Adopted by the United Nations General Assembly on 10 December, 1948.

VIOLENCE IN DOMESTIC SITUATIONS

The most common and frequently-encountered form of violence occurs in domestic situations; research indicates that women are more likely to be abused, killed or injured within a family setting. It ranges from slaps and kicks to more serious assaults as wounding with knives and other implements sometimes resulting in death. These assaults may be sporadic or consistent on a daily or weekly basis, and invariably are unpredictable with no reference to any act committed by the woman. They may be the result of alcohol or drug consumption by the husband or partner in a family relationship or a personality defect with the abuser seeing the need to inflict pain on the person closest to him.

The rationale for this form of violence is rooted in the historical philosophy of women's subordination and inferiority to men. Women were, and many still are, conditioned to believe in the superiority of their male partners in any relationship; further, they regard everything which occurs within the four walls of a home as being private and not to be disclosed to anyone no matter how devastating. This has resulted in under-reporting of incidents of family violence. A study conducted by Professor Danns and Ms. Shivpersad in 1989³ revealed that in Guyana only 5.9% of women report incidents of domestic violence to the police. The study also revealed that two out of every three women had been beaten at least once by their conjugal partners.

Women in the main are ambivalent about violence perpetrated by family members. Apart from the private nature of such violence, many women suffer from feelings of guilt believing that they deserve the beatings because of some wrong committed by them. Others refrain from speaking out about the violence because of fear of further abuse or shame and embarrassment, threats of

³ Domestic Violence and Marital Relationships in the Caribbean: Guyana based study, Women's Studies Unit, University of Guyana, 1989.

financial deprivation or lack of options. In marital and common law relationships wives convince themselves that their vows or conjugal duties include occasional corporal punishment from their spouses or partners, as frequently glorified in calypsoes and dance hall music.

The impact of psychological and emotional violence is inestimable including repeated verbal abuse, threats, insults, humiliation in the presence of others contributing to low self-esteem and feelings of inferiority which may be in some instances more painful than physical attacks as it is constant and unrelenting. Extra-marital relationships, financial neglect or extravagance, habitual drunkenness, inordinate sexual demands all take their toll on the emotions of partners in a relationship. Unlike physical abuse which is directed invariably at women in the household, all family members may sustain emotional abuse. Children are particularly vulnerable, and even though they may not be victims of the physical abuse, they suffer from lifelong personality defects based on the traumatic experiences of living in embattled domestic situations.

Elderly family members also nurture the additional fear of homelessness or abandonment being frequently dependent on their close relatives for financial and emotional support.

Some theories suggest that low and moderate income families who are housed in cramped and over-crowded conditions are more prone to violent behaviour than families living in spacious and well-appointed accommodation, the reason being that economic hardship and financial strictures impose strains on the conjugal relationship. Relief from these pressures is achieved by hitting out at those closest and acting out all of the frustrations of daily living. However, even in well-heeled families without financial pressures, violence may be a release from emotional or workrelated pressures.

In our Caribbean societies drugs and alcohol impact significantly on the incidence of violence in family situations. Invariably women are brutalised by their male partners when in a drunken stupor or under the influence of habit-forming drugs. In some instances, women develop an attitude of resignation to the inevitable beating, which will be administered when their partners return home at the end of the day in an intoxicated condition. Again, this resigned attitude is evidence of low self-esteem and psychological manipulation. This goes hand-in-hand in the Caribbean with a myth, which thankfully has to a large extent been exploded that most women enjoy physical violence and regard it as an expression of the male macho image; if not administered periodically it indicates waning affection or the woman's diminished sexual appeal or attraction.

SEXUAL ABUSE

This is the most frequently used weapon in the arsenal of male abusers. Invariably, with some exceptions, the abuse occurs in private. It preys on and affects one's emotions, and leaves behind the deepest psychological scars. It is also ubiquitous in that it can be perpetrated anywhere on any victim regardless of age, gender or social standing. The youngest infant is equally liable to be sexually assaulted as the oldest adult either in the privacy of the home, the workplace or in dark secretive places away from public view. In developing countries, research suggests that rape is an ever-present threat and sometimes daily occurrence for millions of women.

Traditionally rape was perceived as an offence committed by strangers as opposed to relatives. This has changed dramatically with victims being equally liable to be sexually assaulted by family members (parent, sibling or spouse) and by acquaintances or casual friends.

Sexual assaults committed within a domestic situation include incest, which is often not reported due to the fact that it invariably involves a parent or step-parent and child or someone “*in loco parentis*” to a child. Sexual spousal abuse has in recent times been the subject of open discussion and court intervention. This is a decisive break with tradition and legal theory that a husband cannot be guilty of raping his wife. It was founded on the premise that upon marriage a wife impliedly consents to any form of sexual behaviour by her husband. Modern thinking and judicial pronouncements have reversed this misconception, and husbands can now be found guilty of raping their wives in the absence of consent.

A serious and detrimental spin-off of sexual abuse in today’s world is the harmful effect of HIV/AIDS. Research has indicated that many women either as wives, or in common-law relationships contract this potentially fatal disease from their husbands and partners, in some instances transmitting it to their unborn children. Much work needs to be done in this area to sensitise women to the fact that secrecy is not an option where HIV/AIDS is concerned. Shame and embarrassment very often are inhibiting factors in its early detection and treatment particularly when it is contracted from close relatives and within the privacy of the home.

In 2003 in a “*Framework for Mainstreaming Gender into Key Caricom Programmes*”⁴ Andaiye identified the fear of violence and economic dependence as barriers to women negotiating safe sex practices, and made reference to the Caribbean Task Force on HIV/AIDS which stated that “*Women are at greater risk of contracting HIV in both biological and social terms, as they are both physically more vulnerable and often have little or no power to negotiate safer sex practices with their male partners.*”

⁴ Plan of Action to 2005 prepared for the CARICOM Secretariat

Tina Johnson in a background paper on gender-based violence written for a Human Rights Expert Group Consultation in February 2004⁵, expressed these views on the topic:

“Gender-based violence and HIV/AIDS are intersecting epidemics. Women’s relative lack of control over their sexual lives and methods of preventing HIV and other sexually transmitted infections due to violence or fear of it is one of the main factors behind the spread of AIDS This lack of control is experienced not only by women who are sexually assaulted but also by those in relationships where they are unable to negotiate condom use with their partners. Violence both exposes women to HIV infection and limits their ability to participate in and benefit from HIV/AIDS prevention methods and treatment”.

Abortions and unwanted pregnancies are the consequential results of rape and sexual assaults on young girls sometimes caught in situations over which they have no control. In many instances, they are scared or hesitant to report acts of sexual molestation committed by siblings or adult male relatives, such as step-fathers or visiting male friends of their mothers. More often than not, mothers are in denial about such abuse preferring not to believe the child rather than face the fact that their male partners are committing such despicable acts on their children.

Outside of the home young girls are equally vulnerable to sexual assaults committed by teachers or fellow students in schools, a trend which is becoming alarmingly prevalent in our Caribbean societies, and the depths of which must be ascertained in order to find solutions. In the case of

⁵ Sponsored by the Commonwealth Secretariat, London

teachers such acts constitute a betrayal of trust which when discovered should attract the full force of the law.

SEXUAL HARASSMENT

Sexual harassment in the workplace is a not too unfamiliar scenario in our Region. While victims of sexual harassment can be male or female, women suffer disproportionately. Many young women are exploited and forced into sexual liaisons with their male employers to obtain or retain employment. Sexual favours are the “quid pro quo” for permanent job security or advancement. This type of harassment in the workplace frequently destroys a productive working environment and the self-esteem of those who experience it.

However, sometimes sexual harassment is difficult to identify particularly in our Region where women regard a touch on the buttocks or risqué jokes as part of our normal social intercourse, and may only treat it as serious when the harassment develops into more aggressive conduct. In less formal employment situations such as domestic service any sexual suggestion or gesture by a male employer will constitute sexual harassment because of the advantageous position and dominance he enjoys in his household.

Overall, the key ingredient in sexual harassment is the authority which the harasser wields over the victim who is usually at a disadvantage owing to her fragile economic position, the current employment being in most cases her only means of livelihood. With this foremost in her mind a victim may be reluctant to confront her harasser or report any unwelcome advances.

The resultant abuse in sexual harassment cases is not only physical, but may have financial implications for the victim's well-being and ability to provide for herself and family.

INTERNATIONAL INITIATIVES

Having identified the incidence of gender-based violence, initiatives and strategies have to be adopted to combat its effect and reduce its prevalence.

The Convention on the Elimination of All Forms of Discrimination Against Women⁶ which has been ratified by all member states of the Caribbean Community seeks to remove discrimination against women in all areas where such discrimination is encountered. However, there was one area which was overlooked and not specifically covered by the Articles of the Convention. This is the area of gender-based violence. **The Committee on the Elimination of Discrimination Against Women (CEDAW)** which monitors implementation of the Convention by states parties was over the years particularly concerned about this lacuna, and in 1989 at its Eighth Session adopted the first of two general recommendations on violence against women (Recommendation No. 12). The other was adopted in 1992 (Recommendation No. 19) and was more comprehensive than the first. The Committee was of the view that “not all the reports of states parties adequately reflected the close connection between discrimination against women, gender-based violence, and violations of human rights and fundamental freedoms” and after a detailed commentary on specific articles of the Convention, a multi-faceted recommendation was formulated which, inter alia, urges states parties to report on all forms of gender-based violence including in such reports, all available data on the incidence of each form of violence and its effects on women who are victims. The

⁶ Adopted by the General Assembly of the United Nations on 18 December, 1979.

Committee also recommended that states parties ensure that laws against family violence, rape and other sexual assaults give adequate protection to all women, and respect their integrity and dignity.

The Declaration on the Elimination of Violence Against Women (supra) was the result of recognition of the enormity of the problem of violence by governments meeting at the United Nations Conference on Human Rights in Vienna in 1993, and enjoins them to exercise due diligence to prevent, investigate and, in accordance with national legislation, punish acts of violence against women whether those acts are perpetrated by the State or by private persons. The Declaration represents a moral commitment by governments to introduce immediate measures to combat gender-based violence.

In 1994 the United Nations Commission on Human Rights after strongly condemning all acts of violence against women and girls, appointed a **Special Rapporteur on Violence Against Women** with the mandate to seek and receive information from Governments and other agencies on the causes and consequences of violence against women, and to recommend measures, ways and means at the national, regional and international levels to eliminate violence against women, working closely with other special rapporteurs in this regard. In discharging the mandate the Special Rapporteur was also requested to submit annual reports to the Commission on Human Rights and undertake country visits.

In adopting the **Beijing Declaration and the Platform for Action on Women**⁷ at the Fourth World Conference, governments expressed determination to prevent and eliminate all forms of violence against women and girls which was one of the “*critical areas of concern*”. The Platform for Action recognised that “*violence against women is an obstacle to the achievement of the*

⁷ United Nations Fourth World Conference on Women, Beijing, China, September 1995.

objectives of equality, development and peace and both violates and impairs or nullifies the enjoyment by women of their human rights and fundamental freedoms”. One of the strategic objectives was to take integrated measures to prevent and eliminate violence against women, and in so doing Governments were requested, inter alia, to “enact and/or reinforce penal, civil, labour and administrative sanctions in domestic legislation to punish and redress the wrongs done to women and girls who are subjected to any form of violence, whether in the home, the workplace, the community or society”.

Among the several initiatives which Governments are asked to implement, I regard the following one to be the fortress from which a frontal attack on gender-based violence must be launched. It reads as follows:

“Promote an active and visible policy of mainstreaming a gender perspective in all policies and programmes related to violence against women; actively encourage, support and implement measures and programmes aimed at increasing the knowledge and understanding of the causes, consequences and mechanisms of violence against women among those responsible for implementing those policies, such as law enforcement officers, police personnel and judicial, medical and social workers, as well as those who deal with minority, migration and refugee issues, and develop strategies to ensure that the revictimization of women victims of violence does not occur because of gender-

insensitive laws or judicial or enforcement laws or judicial or enforcement practices”.

The lead must be taken by Governments in combating and eventually eliminating gender-based violence. A policy which reflects a gender perspective in all governmental programmes aimed at eradicating violence, will result in raising public consciousness and sensitivity to the problem. Similarly, implementing national programmes will encourage and increase knowledge of the causes and effects of gender-based violence. Efforts to eradicate or deal effectively with such violence will be futile if those responsible for implementing policy and executing programmes are themselves not gender-sensitive or committed to the cause. This is particularly so in the case of law enforcement personnel and judicial officers who come into contact with victims of gender-based violence on a daily basis. Concentrated efforts to increase the sensitivity of these persons should be on-going and not sporadic, and must be accompanied by enactment of legislation, which is gender sensitive and provides effective safeguards and remedies.

Recently **The Committee on the Elimination of Discrimination Against Women** in examining a report presented by a Caribbean state party, in its concluding comments on the report urged that state to intensify its awareness-raising efforts concerning violence against women, in particular domestic violence, and its unacceptability. It called on the state party “*to put in place concrete prevention efforts and sensitization measures, addressed at the public at large*”, and encouraged the state “*to put in place training measures aimed at judicial officers, including judges, lawyers and prosecutors, in order to enhance their capacity to deal with violence against women in a gender-sensitive manner*”. Other recommendations included ensuring that effective “*mechanisms*

are in place against sexual harassment in the workplace, and that women are informed of their right not to be sexually harassed at work”.

In 1995, Commonwealth governments agreed in the **Commonwealth Plan of Action on Gender and Development** that the elimination of genderbased violence would be one of the priority areas for action. This was followed in 2000 by the adoption of the **United Nations Millennium Development Goals** by 189 governments worldwide, and the elimination of violence against women was singled out as being integral to the achievement of gender equality.

REGIONAL INITIATIVES

One of the key achievements of the Inter-American Commission of Women was success in having the General Assembly of the Organisation of American States adopt the **Inter-American Convention on the Prevention, Punishment and Eradication of Violence Against Women**⁸, generally referred to as “The Convention of Belem Do Para”. As far as can be ascertained all of the CARICOM member states have ratified or acceded to this Convention under which states parties condemn all forms of violence against women and agree to pursue, by all appropriate means and without delay, policies to prevent, punish and eradicate such violence.

An oft-forgotten Regional instrument signed and adopted by resolution of all member states of the Caribbean Community is the **Charter of Civil Society**⁹. This was a result of the recommendation of the West Indian Commission adopted at a meeting of the Heads of Government of the Caribbean Region held in Trinidad and Tobago in October 1992. Under the Charter the Heads of Government

⁸ Adopted by the General Assembly of the Organisation of American States on 9th June 1994.

⁹ Adopted by Heads of Government of the Caribbean Region on 19 February, 1997 in Antigua

declare their resolve “to pay due regard to the principles by which they commit themselves to respect and strengthen the fundamental elements of a civil society”. Article XII addresses the rights of women which include the right to legal protection including just and effective remedies against domestic violence, sexual abuse and sexual harassment. Similarly, Article XIII seeks to protect the right of every child against physical or mental violence, injury, neglect or abuse including sexual abuse.

These are laudable principles, and our Heads of Government in the Region must be commended for their wisdom in paying regard to these principles. However, one gets the impression that they are honoured more in the breach than in their observance. The existence of the Charter is not well known, and has not been disseminated among nationals of the member states. Mention is hardly ever made of it in any forum. Its provisions mirror in large measure those of international and regional treaties such as CEDAW and the Convention of Belem Do Para. The peoples of the Region need to be sensitised and educated about the Charter in order to hold our leaders to strict account in giving effect to the principles which they resolved to follow.

Regional initiatives in the struggle to confront gender-based violence have been taken by the CARICOM Secretariat which has formulated model legislation for adoption by member states with respect to domestic violence, sexual offences and sexual harassment. This leads to discussion of initiatives taken or to be considered at national level.

NATIONAL INITIATIVES

(a) Legislation

Within recent years, several states within the Region have enacted legislation aimed at combating domestic violence – Domestic Violence Acts – based in large measure on the model formulated by the CARICOM Secretariat, e.g. the Domestic Violence Act of Jamaica passed in 1996. These Acts, as does the Jamaica Act, provide for the courts issuing protection or occupation orders aimed at protecting an applicant who is a victim of abuse from further abuse. They also prohibit the perpetrator from entering or remaining in a residence occupied by the victim, or granting the victim the right to occupy the premises forming part of the household. Nonmolestation orders may also be made restraining the abuser from waylaying the victim in any public place or being within a specified distance from her or him, and also from making persistent telephone calls to the residence or place of work. The Domestic Violence Act of Trinidad and Tobago (1999) amended the 1991 Act to widen the definition of “domestic abuse” to include psychological, emotional and financial abuse, and recognised visiting and cohabitating relationships.

Countries which hitherto had no separate legislation governing sexual offences have adopted the CARICOM model Sexual Offences Act as well as the Sexual Harassment Act. The latter is comparatively new to our Region, which never regarded sexual harassment as an offence necessitating intervention by the courts. Although the legislation mainly covers situations of sexual harassment by an employer or supervisor in the workplace, it also includes such harassment by a co-worker as well as harassment in education and in relation to persons seeking accommodation from others.

The Organisation of Eastern Caribbean States in 2001 launched a Family Law and Domestic Violence Reform Project Development Agency to reform existing legislation dealing with the family and domestic violence and which formed part of overall Judicial and Legislative Reform initiatives being undertaken in the Eastern Caribbean.

(b) Law Enforcement

Violence within the confines of the home is still generally regarded by law enforcement officers as a family matter to be settled privately, and not to be aired publicly in courts of law. Law enforcement officers intervene with undisguised reluctance when an abused woman makes a report against her husband or partner at local police stations, and is very often discouraged from instituting proceedings being advised instead to go home and patch up matters. Sometimes the justification for such reluctance is reinforced when the frightened abused woman with few options pleads with a court functionary not to imprison the male abuser or is too terrified to testify against him resulting in the charges being dropped.

In such circumstances, courts should be empowered to order mediation with therapeutic treatment and counselling for both abuser and abused, aimed at fostering respect and tolerance of another's point of view. Very rarely, if at all, are abusers or the abused encouraged by court officials to engage in counselling or mediation before or after trials. Cases are dealt with in a cold and impersonal manner, in a system which is punitive rather than rehabilitative. Conviction of the abuser frequently results in financial and psychological loss to the abused woman who is deprived of support for herself and children, if any.

The view has been expressed that criminal justice for violence, from arrest to conviction and severe sentencing, is the most effective mechanism for deterring further acts of violence, and is the only

effective means of combating its escalation. This may be so, but rehabilitation must be considered in certain circumstances and situations as a viable alternative.

(c) Training

The role of the police in enforcing criminal justice for violence perpetrated against women cannot be overstated. Though effective in some instances in temporarily averting further violent domestic attacks, many women display little confidence in police intervention. This begins at the investigative stage with insensitive police personnel who sometimes express the view that the abused woman probably provoked the violent reaction of the abuser in some way or is not satisfied that there are sufficient grounds for intervention. Sensitising police personnel to a victim's response to domestic abuse is mandatory in eliminating the scourge of it. They need to be made aware that violence committed on persons in domestic situations is a crime like any form of violent assault committed by one person against another and is not a purely private and personal matter. In relation to women victims in most countries the police are the only recourse which they have when battered or assaulted.

Police personnel need to reorient their thinking and attitudes nurtured in traditional male dominance that men are entitled to inflict beatings on their women folk now and then to keep them in line and assert their authority. Young inductees into the police service in most countries do not receive any training in handling and investigating reports of violence committed in the home or as the result of sexual molestation, and so are ill-equipped to render assistance when confronted with the problem. Consequently they tend to take the least difficult course of trivialising the report and not pursuing the investigation rigorously. Sympathy and understanding should underpin

investigations, and the surroundings where reports are made and statements taken should be relaxed to inspire confidence.

Recognising the need for training and improving the response of the police to gender-based violence, the Guyana Police Force earlier this year in collaboration with the Ottawa Police Service of Canada embarked on a project aimed at sensitising participants to the whole problem of domestic violence. The respective officers exchanged experiences, and the members of the Guyana Police Force received training in interviewing victims and managing a report from the time it is made. Such training should be mandatory for all recruits into police organisations, and accurate recordkeeping as well as data collection should also form part of the training process.

In 2003 an Ad Hoc Committee on Domestic Violence was appointed by the Attorney General of Trinidad and Tobago to prepare an investigative and procedural manual specifically tailored for the use of police investigators responding to reports of domestic violence. A wide range of resources, both human and physical were identified as well as strategies including the establishment of a domestic violence unit in each division of the police service. It was recommended that on-going training on domestic violence be provided for every officer throughout his/her career.

(d) Court System

The courts are the final rung up the ladder of the criminal justice system in securing a conviction of a person charged with violence against another and found guilty of doing so; for female victims this can be the most intimidating. They face gruelling and sometimes embarrassing cross-examination by defence attorneys in austere and awe-inspiring surroundings before judges and magistrates dressed in black garb and dispensing justice in strict accordance with the law.

Most women who are called upon to testify in court about abuses committed against them find this a traumatic experience, and leave with a strong impression that they were on trial instead of the offender and being in some way responsible for their plight. They also face the humiliation of recounting the sordid details of the attack in cases of rape or the terror experienced at the hands of their abuser in other cases of assault before a courtroom of curious onlookers savouring the unfolding of a salacious soap opera.

I have not been able to ascertain whether all countries of the Region have legislation in place permitting hearings of rape and other sexual offences to be heard in camera in the presence of only those directly involved. The CARICOM model Sexual Offences Act certainly provides for it. The Domestic Violence Act of Jamaica has gone even further and makes provision for hearings under the Act to be heard in camera which is a commendable provision having regard to the personal nature of such proceedings.

Consideration should be given to the establishment of user-friendly family courts well-equipped to handle sensitive domestic matters. Such a court has been established in Trinidad and Tobago as a pilot project, and has met with great approval and deep appreciation from both visitors and those who have to use the facilities. Hopefully, such courts will become the norm in the rest of the Caribbean.

An issue which requires urgent attention is the adequacy of staffing of courts which deal with gender-sensitive matters particularly in the criminal jurisdiction. Victims of rape and other sexual assaults usually encounter court staff who are cold, impersonal and sometimes intimidating. The time has come for the testimony of rape victims, particularly the very young, to be given by video or behind screens to avoid the trauma of face-to-face contact with the abuser. Admittedly providing user-friendly facilities in courts comes with a large price tag, but adequate financial

resources must be made available by governments in their budgetary allocations to the administration of justice. The same must be considered in providing training both for staff and judicial officers as is proposed for law enforcement officers.

The remedies available in the courts for gender-based violence fall mainly within the criminal jurisdiction, e.g. the offences of rape and sexual assault as well as ordinary assault and battery. Legislation pertaining to domestic violence in some instances provides for courts to exercise a quasi-criminal jurisdiction. Apart from this, civil suits can be brought against perpetrators seeking damages for assault or injunctive relief or eventually matrimonial proceedings.

Whether the remedies and relief sought by victims of gender-based violence are criminal or civil, their effectiveness depends in large measure on the officials who enforce them. Initiatives must be developed to ensure that victims of violence have their cases ventilated fully and heard expeditiously. Delay in hearings is not a luxury which victims of violence can afford both from a physical as well as a psychological perspective. The wounds inflicted may heal within a short span of time, but the scars remain until the end of time. The trauma of an assault is not easily forgotten, and the speedier the trial the quicker the recovery can begin. Judicial officers must bear this in mind when fixing hearings, and police officers must be prepared to complete their investigations of the case at the earliest opportunity.

(e) Research and Data Collection

Recommendation 19 formulated by the United Nations Committee on the Elimination of Discrimination Against Women indicated data collection as one of the factors which states parties should include in their reports on the subject of violence against women.

No one can reasonably doubt that the Caribbean as a whole is plagued by the multi-faceted problem of gender-based violence. If efforts to eradicate it are to be effective, the dimension and extent of such violence must be ascertained. This cannot be undertaken by individual states acting in isolation, having regard to their limited financial and human resources. Research and data collection although the responsibility of each state, must be undertaken at a Regional level, perhaps by the CARICOM Secretariat if not already so undertaken. Data collection should include, for example, police and court statistics on reports made and penalties imposed on perpetrators. These statistics should be updated periodically, and form the basis for collective action after being reviewed by a designated entity within the Region.

The time has come for a Regional summit to consider the problem and devise solutions for excising this canker which is persistently eroding the fabric of our individual communities.

(f) Education

An important tool in the ongoing struggle to eradicate violence is inculcating in both victim and offender mutual respect, gender sensitivity, tolerance and the acquired skills of peaceful conflict resolution. These values should be incorporated into the educational curricula at all levels in the formal school system as well as in informal educational programmes. Much work also needs to be undertaken in sensitising the media to the whole issue of gender-based violence as being acts of criminality with long-term effects on the victims rather than opportunities for sensationalism and titillating journalistic commentary.

Above all women and young girls in particular have to be taught that they are victims of, rather than participants in, violence, and need to report such incidents. In this regard Governments and

other agencies should undertake legal literacy campaigns to inform women of their rights, and educate them specifically about domestic violence.

NON GOVERNMENTAL INITIATIVES

Most of the initiatives discussed earlier relate to Governments with whom the main responsibility lies to confront gender-based violence and eradicate it. However, non-governmental organisations have played and need to continue to play a positive role in combating such violence. These organisations' involvement is multi-dimensional, ranging from the provision of shelters, refuges and hot-lines to conscious-raising programmes and support groups.

These initiatives were undertaken mainly by women NGO's, but in recent times male NGO's have joined the battle against gender-based violence, and have been organising groups such as Men Against Violence Against Women. One such organisation has been formed in Guyana with the objective of educating men and boys to respect the rights of women and develop anger management and dispute resolution skills. There also exists in Jamaica an organisation, Fathers Inc., no doubt with similar objectives.

This type of organisation must be encouraged throughout our Region to remove the perception that the battle against gender-based violence is to be fought only by women; all are involved, and all are consumed.

A very significant contribution to the struggle against violence comes from the Church, specifically from the World Council of Churches which in 1998 decided upon a Decade to Overcome Violence, and identified the most vulnerable groups as being women, youth and children. Margot Kässman¹⁰

¹⁰ A Bishop of the Evangelical Lutheran Church, Hanover, Germany.

in a book entitled “*Overcoming Violence: The Challenge to the Churches in All Places*” indicated that few church leaders see domestic violence against women as a major question to theology, yet more and more Christians are coming to see that the churches are called to be at the forefront of the movement against violence women and children.” The influence of the Church (and I include here all other religions) should not be underestimated. Its teachings and tenets abhor violence, and its followers regard religion as a panacea for the ills that affect society. Church groups with wide-ranging membership across gender, race and age are fertile soil for the growth of the core values of respect, compassion and concern for the welfare of others. The Church must harness its large reservoir of influence and channel it towards combating the evils of gender-based violence.

CHILDREN

No discussion on violence particularly in family situations will be complete without consideration of its effect on the most vulnerable group of persons – the children. The effect of violence on them whether direct or indirect, is incalculable. The child nurtured in a violent environment becomes an abusive or mal-adjusted adult who regards violence as the norm. As mentioned earlier, where the child is the subject of physical abuse, the emotional and psychological scars remain long after the wounds are healed.

The Convention on the Rights of the Child¹¹ which has been ratified by all countries within the Caribbean Region, under **Article 19** requires states “to take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation,

¹¹ Adopted by the United Nations General Assembly on 20 November, 1989.

including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.” All that has been discussed in relation to adults in violent situations applies in equal measure to children. The same initiatives should be taken to protect children from violence particularly in family situations and from sexual abuse, which though intolerable when adults are victims, is reprehensible and unforgivable when committed on children, particularly those of tender years which seems to be occurring with increasing regularity.

Although not the focus of this paper, it is opportune to mention one area of physical violence against children which is condemned by the Committee established to monitor compliance with the Convention on the Rights of the Child. It is corporal punishment inflicted on children whether in the home or in schools. After general discussions begun since 2000, the Committee at its 42nd Session held in June 2006, issued a General Comment which focuses on corporal punishment and other cruel or degrading forms of punishment, and which urges states parties to prohibit and eliminate this practice as early as possible, by legislative, awareness-raising and educational measures.

CONCLUSION

The multi-dimensional problem of gender-based violence has been discussed as far as it is possible to do so within the confines of a few pages. There is so much more to this problem which needs to be addressed, and solutions identified. However, whatever these are at the end of the day, it requires determination, dedication and commitment of the leaders of society and the political will of Governments to eradicate this problem. Further, women’s fragile economic positions provide few options when seeking to extricate themselves from violent situations. Women’s poverty needs to be addressed as a matter of urgency.

Roberta Clarke in a publication in 1998,¹² from which I derived much assistance, expressed these views in the section on “Conclusions and Recommendations”:

“Any attempt at solving violence against women must also take notice of the section of the female population whose efforts to leave situations of violence are severely impaired by economic poverty. While violence against women occurs in all classes, in all regions, there is no disputing that the economic crisis reduces a woman’s power to resist. Women with few resources have less options.”

There are also the ever-present issues of deep-rooted and stereotypical attitudes towards gender-based violence. Unless these are changed and more progressive thinking adopted, the battle to eradicate such violence will be lost. This attitudinal change has to begin in the homes and communities of our respective countries by inculcating in the young the values of self-worth and human dignity.

¹² Violence Against Women in the Caribbean: State and Non-State Responses.