

Table 2: Binding relevant international agreements by ratification by Caribbean Countries

**BINDING INTERNATIONAL AGREEMENTS RELEVANT TO SRHR AND GBV**

|   | <b>Ratification</b>   | <b>Key articles related to SRHR and GBV</b>  |
|---|---|--|
| <b>International Covenant on Civil and Political Rights, (ICCPR) 1966</b>                       | <b>All Caribbean countries, Except St. Kitts and Nevis St. Lucia</b>    | <p><b>Part 2 (Articles 2 – 5)</b> obliges parties to legislate where necessary to give effect to the rights recognized in the Covenant, "without distinction of any kind, such as race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status," and to ensure that they are enjoyed equally by women.</p> <p><b>Part 4 (Articles 28 – 45)</b> governs the establishment and operation of the Human Rights Committee and the reporting and monitoring of the Covenant.</p> <p><b>General comment no. 19, 1990:</b> protection of the family, the right to marriage and equality of the spouses</p> <p><b>General comment no.28, 2000:</b> the equality of rights between men and women<sup>1</sup></p> |
| <b>International Covenant on Social Economic and Cultural Rights (ICSER), 1966</b>              | <b>All Caribbean countries, Except Bahamas, Belize Haiti, St Kitts,</b> | <p>Article 2-3: right to non-discrimination and the right to an effective remedy, Article 3: protect the equal right of men and women to the enjoyment of economic, social and cultural rights,</p> <p><b>General comments 16, 2005:</b> equal right of men and women to enjoy social, economic and cultural rights: speaks to protection against GBV and forced marriages</p> <p><b>General comments 22, 2016<sup>2</sup>:</b> On the right to sexual and reproductive health: universal access to SRHR, including for minority groups<sup>3</sup></p> <p>States are required to report on specific aspects of gender-based violence</p>  |
| <b>Convention on the Elimination of All Forms of Discrimination against Women (CEDAW, 1979)</b> | <b>All Caribbean States</b>   | <p><b>General Recommendation No. 19 (1992):</b></p> <p>Holds that violence against women is a form and manifestation of discrimination (art. 1 of CEDAW), thereby reasserting state obligation under international law to pursue all appropriate means for its elimination.</p> <p><b>General Recommendation No. 35 (2017):</b> updating general recommendation No. 19.</p> <p>Adopts the term “gender-based violence against women” to make explicit the gendered causes and impacts of violence. This term also strengthens the understanding of violence against women “as a social rather than an individual problem, requiring comprehensive responses beyond those to specific events, individual perpetrators and victims/ survivors”.</p>                      |

<sup>1</sup> [General Comment No. 19: Protection of the family, the right to marriage and equality of the spouses 27 July 1990.](#) [General Comment No. 28: Article 3 \(The equality of rights between men and women\) 29 March 2000](#)

<sup>2</sup> [‘General Comment No.22’ on the right to sexual and reproductive health](#), the ESCR Committee applied the AAAQ framework to sexual and reproductive health care, providing states with clear guidance on the measures they must take to fulfil their human rights obligations.

<sup>3</sup> All individuals and groups, including adolescents and youth, have the right to evidence-based information on all aspects of sexual and reproductive health, including maternal health, family planning, sexually transmitted infections, HIV prevention, post-abortion care, infertility and fertility options, and reproductive cancers. Such information must be provided in a manner consistent with the needs of the individual and the community, taking into consideration, for example, age, gender, language ability, educational level, disability, sexual orientation, gender identity and intersex status.

|  |                 |   |  |
|--|-----------------|---|--|
|  |                 |   | <p>GR 35 also states that CEDAW is fully applicable to technology-mediated environments, such as the internet and online spaces, as settings where contemporary forms of gender-based violence against women and girls are frequently committed in their emerging forms</p> <p>Furthermore: The definition of sexual violence, provides that the <b>definition of sexual crimes, including rape, should be based on lack of freely given consent, and take account of coercive circumstances.</b></p>  |
| <b>CEDAW Protocol 1999</b>   | <b>Optional</b> | <b>3 Caribbean countries: Antigua (2006), Belize (2002) and St. Kitts (2006) <sup>4</sup></b>                     | <p>The Optional Protocol to CEDAW is the first gender-specific international complaints procedure. It strengthens the procedures for addressing violations of women's rights by establishing two mechanisms:</p> <p>1. <b>The complaints procedure:</b> allows individual women, or groups of women, to submit claims of violations of rights</p> <p>2. <b>The inquiry procedure:</b> enables the CEDAW Committee to initiate inquiries into situations of grave or systematic violations of women's rights</p>  |
| <b>Convention on Child Rights, 1990</b>                                  |                 | <b>All Caribbean States</b>   | <p>The term "child" in international human rights law applies to all persons under the age of 18, unless the age of majority is attained earlier under national legislation</p> <p><b>Article 19</b></p> <p>States Parties shall 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, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.</p> <p>The Optional Protocols enable children and their representatives to submit complaints to the UN Committee on the Rights of the Child about specific violations of their rights under the Convention, as well as under its other three Optional Protocols.</p> <p><b>No Caribbean Community (CARICOM) country has yet ratified Optional protocol three.</b></p> |
| <b>Three Optional Protocols to the Convention, on</b>                    |                 | <b>OPC 1 and 2 signed by 9 of the 14 Caribbean states. Not ratified by Bahamas, Barbados, St. Kitts and Haiti</b> |  |
| <b>1. The involvement of children in armed conflict</b>                  |                 |   |  |
| <b>2. The sale of children, child prostitution and child pornography</b> |                 |   |  |
| <b>3. Communications Procedure, 2014</b>                                 |                 |   |  |
| <b>Convention on the Rights of people with a disability, 2006</b>        |                 | <b>Ratified by all Caricom states</b>   | <p><b>Article 16</b></p> <p><b>Freedom from exploitation, violence and abuse</b></p> <p>States Parties shall take all appropriate legislative, administrative, social, educational and other measures to protect persons with disabilities, both within and outside the home, <b>from all forms of exploitation, violence and abuse, including their gender-based aspects.</b></p>   |

#### Article 25

States Parties shall provide persons with disabilities with the same range, quality and standard of free or affordable health care and programs as provided to other persons, **including in the area of sexual and reproductive health and population-based public health programs;**

#### Article 27

(b) Protect the rights of persons with disabilities, on an equal basis with others, to just and favorable conditions of work, including equal opportunities and equal remuneration for work of equal value, **safe and healthy working conditions, including protection from harassment**, and the redress of grievances; [...]

#### Optional Protocol to the Convention on the Rights of Persons with Disabilities

... Caribbean States have ratified

The Optional Protocol, which came into force at the same time as the CRPD, establishes two additional mandates for the Committee: receiving and looking into individual complaints. Handling enquiries where there is reliable evidence that serious violations of the CRPD have occurred.

**ILO, C190\* – Violence and Harassment Convention, 2019 (No. 190)**  
**Date of entry into force: 25 Jun 2021**  
**, incl. Recommendation 206**

**Ratified by 10 countries in the world, of which 3 in LA. No Caribbean states have ratified**

#### Recommendation 206:

Convention No. 190 provides the **first international definition of violence and harassment in the world of work** (Art. 1(1)(a)), which refers to a:

“Range of unacceptable behaviors and practices, or threats thereof, whether a single occurrence or repeated, that aim at, result in or are likely to result in physical, psychological, sexual or economic harm and includes **gender-based violence** and harassment.”

The Convention also **defines gender-based violence and harassment** (Art. 1(1)(b)) as:

violence and harassment directed at persons because of their sex or gender or affecting persons of a particular sex or gender disproportionately and includes sexual harassment.

Under **(ICSER) general comment 22**, individuals and groups, including adolescents and youth, have the right to evidence-based information on all aspects of sexual and reproductive health, including maternal health, family planning, sexually transmitted infections, HIV prevention, post-abortion care, infertility and fertility options, and reproductive cancers. Such information must be provided in a manner consistent with the needs of the individual and the community, taking into consideration, for example, age, gender, language ability, educational level, disability, sexual orientation, gender identity and intersex status.