A colorful bird with a shield and a lion

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**ADDRESS BY:**

**HON. DR. VINCE HENDERSON**

**MINISTER FOR FOREIGN AFFAIRS, INTERNATIONAL BUSINESS, TRADE AND ENERGY OF THE COMMONWEALTH OF DOMINICA**

**TO THE**

**46TH SESSION OF THE WORKING GROUP OF THE UNIVERSAL PERIODIC REVIEW (UPR) OF THE HUMAN RIGHTS COUNCIL.**

November 7th, 2024

Geneva

Switzerland

**Mr. President**

**Esteemed Members of the Human Rights Council**

**Distinguished Delegates of UN Member States**

**Representatives of Civil Society, Observers,**

**Ladies and Gentlemen**

**INTRODUCTION**

My delegation and I are honored to present our national report on behalf of the Government and People of the Commonwealth of Dominica as mandated to this Forty-seventh Session of the Working Group of the Universal Periodic Review (UPR) of the Human Rights Council.

This review provides an invaluable opportunity to reflect upon our progress, acknowledge our challenges and reaffirm our commitment to upholding and advancing human rights. In this regard, Dominica is pleased to participate in the UPR in its fourth cycle and welcomes the opportunity to appear before the Working Group, to report and engage in constructive dialogue on progress made towards the implementation of Dominica’s human rights agenda, with a focus on the 86 accepted recommendations from the third cycle.

My delegation’s participation today, reaffirms Dominica’s commitment to the promotion and protection of human rights at the national level, and to international human rights obligations, including the UPR. Dominica recognises the UPR as an important universal mechanism that drives, reinforces, and enhances the advancement of human rights, through comprehensive assessments, the exchange of views, cooperation and the implementation of measures which positively impact the lives of people.

I therefore take this opportunity to thank the Office of the High Commissioner for Human Rights (OHCHR) for its coordinated efforts in preparation for this review, including the production of the Compilation and Summary of Stakeholders Reports, and for facilitating the participation of one of our delegates through the Voluntary Fund. I also extend gratitude to the members of the Troika, namely, Somalia, Kuwait and Brazil for their contributions to this entire review process, and to the states who have submitted questions for consideration, many of which will be addressed in the course of this opening statement.

My delegation welcomes the keen interest shown by the Members of the Council, other UN Member States, and stakeholders, on the human rights situation of Dominica, and stands ready to engage constructively in today’s review.

**BACKGROUND**

**Mr. President**, Dominica remains steadfast in its commitment to uphold human rights and freedoms for all individuals within our borders.

Since the attainment of independence, 46 years ago, human rights have been the cornerstone of Dominica’s governance and national identity and serves as an integral component in the path to greater development. Accordingly, human rights protections are enshrined in our constitution, and our Government continuously seeks to align its policies, laws and programmes with human rights standards at the forefront of considerations.

However, while Dominica remains resolute in its commitment, its efforts have not been devoid of challenges. As a small island developing state, Dominica continues to face the perils of climate-related hazards, among other threats, many of which reverse significant progress made towards the full enjoyment of human rights and the achievement of the United Nations Sustainable Development Goals (SDGs).

It must be noted that at the beginning of this period under review, Dominica was still navigating the preliminary stages of its recovery and rehabilitation from Hurricane Maria, a Category 5 storm which devastated the island in September 2017. In quick succession in 2020, like the rest of the world, we were faced with the onset of the COVID-19 pandemic, which further exacerbated economic and social challenges, highlighted an even greater need for robust and innovative recovery strategies and resilient building efforts.

**Mr. President,** it is against this backdrop that my delegation now turns to highlight key areas of progress made with respect to the 86 accepted recommendations:

**ESTABLISHMENT OF THE NATIONAL MECHANISM FOR IMPLEMENTATION, REPORTING AND FOLLOW-UP (NMIRF):**

Dominica officially established a National Mechanism for Implementation, Reporting and Follow-up (NMIRF) through a cabinet decision in July 2019. This standing, inter-ministerial body includes representatives from key ministries involved in the advancement of the human rights agenda, with the Ministries of Foreign Affairs and Legal Affairs serving as co-chairs. The mandate of the NMIRF is to coordinate and generate reports for international and regional human rights mechanisms, as well as to oversee the national follow-up and implementation of treaty obligations and recommendations from these mechanisms.

Following the acceptance of the 86 recommendations from the third cycle of the UPR, the NMIRF shared the recommendation matrix with relevant government agencies and stakeholders to kickstart implementation efforts, consulted with civil society and non-governmental organisations, and held periodic meetings to track progress.

The greatest challenge encountered by the NMIRF since its establishment, was the disruption caused by the COVID-19 pandemic, which temporarily slowed down its initial momentum due to resource reallocation. However, despite this setback, the NMIRF remains fully operational and its members fully committed, and have worked tirelessly in preparation for this review.

Efforts are currently being directed towards improving the mechanism's effectiveness and efficiency through capacity-building initiatives. For example, in March of this year, the Human Rights Unit of the Commonwealth Secretariat conducted a workshop to bolster the NMIRF's capacity in fulfilling its mandate. It is important to note that the Commonwealth Secretariat's Human Rights Unit has played a key role in guiding the establishment and development of Dominica’s NMIRF.

**INTERNATIONAL OBLIGATIONS AND COOPERATION WITH HUMAN RIGHTS MECHANISMS:**

**Acceptance of International Norms**

**Mr. President,** since our last review, Dominica acceded to both the Convention for the Protection of All Persons from Enforced Disappearances (CED) and the International Convention on the Elimination of All Forms of Discrimination (CERD). Additionally, Dominica is now state party to seven of the nine core international human rights instruments.

Reviews are on-going with respect to the remaining core human rights treaties and optional protocols, particularly the Convention against Torture (CAT). In the period under review, Dominica has engaged with the Convention Against Torture Initiative (CTI) which hosted a workshop on the CAT in Dominica in 2019, and has held meetings with various stakeholders and high-level authorities over the years. We expect that before the end of this year, Dominica will join the other member states as a party to the CAT.

Dominica has also ratified several other instruments in the area of human rights,such as the Convention on the Prevention and Punishment of the Crime of Genocide, and the Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean (Escazú Agreement).

**Cooperation with Treaty Bodies and Reporting:**

Dominica recognises the importance of consistent reporting to the Treaty Bodies overseeing the core human rights instruments of which we are state party. We acknowledge that the timely submission of reports is essential not only to fulfilling our obligations but also to highlight progress made that may otherwise go unnoticed. Despite our best efforts to meet these reporting commitments, ongoing resource and capacity constraints, often worsened by unprecedented external shocks, present challenges for Dominica’s timely submission.

To address these challenges, the NMIRF continues to collaborate with especially the Human Rights Unit of the Commonwealth Secretariat. This partnership has been instrumental in crafting an action plan for submission of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) report, for which an advanced draft is already in place, and the development of Dominica's first Common Core Document. Dominica remains receptive to support from other external bodies to enhance our capacity in addressing the backlog of reports effectively.

**HUMAN RIGHTS AND THE ENVIRONMENT**

**Mr. President,** recognizing the impact of climate change on human rights, Dominica is fully committed to protecting its citizens through resilience building efforts.

In the period under review, Dominica has sought to further strengthen its climate resilience policy framework with the promulgation of the Comprehensive Climate Resilience and Recovery Plan (CRRP) 2030. This document reflects a clear roadmap – translating the vision of becoming the first climate resilient nation and the objectives of the National Resilience Development Strategy (NRDS) 2030 into specific initiatives and activities.

Notably, the updated national climate resilience policy framework adopts a gender-transformative and inclusive approach that aligns with the SDGs, ensuring that no one is left behind. This approach acknowledges the importance of addressing social and economic disparities between genders and age groups, as well as the obstacles encountered by marginalized and disadvantaged communities, to ensure equitable outcomes and safeguard the rights of those on the margins.

It must be underscored that the Climate Resilience Execution Agency of Dominica (CREAD), during its tenure, played a crucial role in advancing Dominica’s resilience agenda, evinced by several successful projects, initiatives and capacity-building opportunities to address pressing issues related to climate change and disaster risk management.

**RIGHT OF SPECIFIC PERSONS AND GROUPS**

**Women**

**Mr. President,** the Government of Dominica has always placed strong and strategic emphasis on the protection and advancement of women's rights, recognising these as crucial elements in fostering gender equality, women empowerment, and building a society that is more inclusive and equitable for all.

**Protection of Women - Domestic Violence**

My delegation is pleased to inform that as part of efforts to boost protection for women among other vulnerable groupings against violence, the Parliament of Dominica approved a new Domestic Violence Act that entered into force on July 1, 2023. The Act directly aligns with Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), and aims to provide greater protection for victims of domestic violence and for the granting of protection orders to promote their safety.

It is envisaged that this Act will significantly enhance the prevention of domestic violence, improve care and services for women affected by domestic violence, and ultimately empower more women to actively participate in the economy as entrepreneurs, investors, and employees. Since the Act took effect, concerted efforts have been made to ensure its full enforcement.

Some of the elements of the Act are cross cutting and require efforts of other government departments in its execution. Currently, the Bureau of Gender Affairs, in collaboration with the Investment Climate Reform Facility, is currently developing an implementation plan for the Act. Social workers and law enforcement personnel have undergone a series of training sessions, and public awareness campaigns have been launched across media platforms and in-person, to promote understanding of the Act and to raise awareness particularly on domestic violence. Additionally, two permanent social worker positions have been added to the staff compliment of the Bureau of Gender Affairs with these professionals being well-qualified to offer psychosocial support to individuals affected by domestic violence.

However, acknowledging that domestic violence cases persist, the Bureau of Gender Affairs continues to play an active role, to involve all other stakeholders, including government entities, civil society organisations and the private sector, in aiding victims in navigate these situations.

Most notably, the Bureau supports victims by funding safe accommodation and holistic services to women impacted by domestic violence for periods up to six months, through a limited fund. Looking ahead, the Bureau is hoping to identify a more enduring solution to provide ongoing refuge and safe accommodation to victims of domestic violence.

**Advancement of Women – Women in Political Life and Economic Empowerment of Women**

Dominica aligns itself to the comprehensive policy agenda of the Beijing Platform for Action as it relates to women’s empowerment and role in mainstream decision making. Dominica has gone further and demonstrated a strong commitment to women's advancement, with investment in gender representation across leadership positions.

Mr. President, I am proud to inform this forum that a notable milestone in women empowerment in Dominica saw the election of Her Excellency Sylvanie Burton assuming the position of President of Dominica as at September of 2023, the highest position of our land. This historic event not only marked a significant achievement for gender equality, but also highlighted the resilience and contributions of the Kalinagos, our indigenous people.

The significant presence of women occupying positions in Dominica’s Cabinet, Parliament, local government, and senior leadership roles in ministries and departments of the public service and regional and international organizations, reflects a culture of inclusivity and empowerment, ensuring that women have equal opportunities to contribute at all levels of decision-making and representation. Currently, women make up 38.5% of the Members of our national Parliament and 47% of the Cabinet of the government of Dominica.

Additionally, at the grassroots level, Government continues to prioritize and invest in women's empowerment through targeted livelihood support programs and training initiatives, aimed at fostering economic independence and enhancing opportunities for women to thrive.

However, while we recognize that much has been accomplished, we acknowledge that there remains work to be done.In the period ahead, we look forward to exploring additional protections for women, launching new programmes and initiatives, including the approval of a Draft National Gender Policy, which was recently revised to ensure conformity with Dominica's climate resilience objectives.

**CHILDREN**

In 2023, the Parliament of Dominica enacted Five Family Bills, including the Domestic Violence Act, Status of Children Act, Maintenance of Children Act, Children (Care and Adoption) Act, and Maintenance Act. All of these serve to offer protections to children and their families, and bring the laws of Dominica into greater compliance with the United Nations Convention on the Rights of the Child (CRC).

To ensure the implementation of these new suite of laws, the Government instituted a Child Protection Unit within the Department of Social Services which is mandated to advocate for and continue raising awareness of child abuse and child protection island wide. Schools psychologist now form part of the staffing structure, creating an immediate avenue for children to report any such incidents in a comfortable and familiar setting.

Currently, Government is collaborating with the Organisation of Eastern Caribbean States (OECS) Commission as part of the Opportunities to Advance and Support Youth for Success (OASYS) Project, to finalise a Child Justice Bill to better address incidents of child offenders within the OECS.

**OLDER PERSONS**

**Mr. President,** The 2030 Agenda for Sustainable Development emphasises the importance of leaving no one behind including older persons. The Government of Dominica values its aging population and remains dedicated to ensuring the protection and welfare of older persons, and recognises the need to implement more targeted legislation, policies, budget allocations and other programs that uphold their rights, dignity, and quality of life.

In line with this commitment, the Maintenance Act of 2023 offers protection for older persons, as it places an obligation on individuals who are not minors to provide maintenance for their parents and grandparents who are in need due to age, physical or mental infirmity, or disability.

Additionally, a Prime Minister's Advisory Committee on Senior Citizen Issues was formed in 2023 with the aim to provide policy and legislative recommendations to support enhanced care and protection for Dominica's aging population.

Dominica continues to strengthen its social protection programs that targets the country’s elderly. Since 2014, our government has been providing non-contributory pensions to Dominicans from the age of 70 years, who were not qualified for government of social security pensions. In 2023, the age was lowered to provide for individuals from 65 years.

Free healthcare for all citizens above the age of 60 remains a major policy decision that is of tremendous benefits to our older persons.

Care programs for the elderly who are home bound and those housed at aged institutions are fully state funded. Government has also increased its subventions to the Dominica Infirmary, and other homes for the aged to ensure that the best care is given to residents.

**PERSONS WITH DISABILITIES**

While there is presently no national policy specific to Persons with Disabilities (PWDs), the Government continues to play an active role in protecting and supporting PWDs. In 2022, the Cabinet approved the establishment of the National Commission on Persons with Disabilities, tasked with offering guidance on policies and programs in alignment with the Convention on the Rights of Persons with Disabilities (CRPD). The Commission is also focused on the development of a draft national disabilities act to be submitted to Cabinet.

Government is actively working towards ensuring inclusive education for children with disabilities. Dominica is an avid supporter of initiatives such as the 'build resilience concept' post-Hurricane Maria and adoption of the OECS Regional Building Code aim to create accessible public spaces for persons with disabilities. In fact, one of these institutions under construction is specifically earmarked to become a learning centre for challenged students at the primary school level who are unable to comfortably integrate into a regular classroom setting.

This facility, once completed will be staffed with special needs teachers and support staff to ensure that no child is left behind. Other schools under construction are also designed to be fully wheelchair compatible to include access to classrooms, labs, washrooms and playgrounds.

As an added relief to parents of our special needs children, Government provides financial assistance and duty-free concession on equipment purchased by or donated to the Dominica Association of Persons with Disabilities. Additionally, Government continues to provide a monthly subvention to the Dominica Association of Persons with Disabilities, the main organisation advocating for persons with disabilities, while stipends are offered to cover educational costs in private special education schools.

**RIGHT TO AN ADEQUATE STANDARD OF LIVING**

**Mr President,** Dominica is firmly committed to upholding and advancing the rights of all individuals to an adequate standard of living through policy, measures and programs aimed at promoting economic growth, employment opportunities, better livelihoods and greater access to essential services. Currently, Government oversees more than forty (40) safety-net initiatives with a focus on supporting the most vulnerable members of society, all of which were sustained amid the challenges of the COVID-19 pandemic.

**RIGHT TO HEALTH**

In the period under review, Government has worked towards expanding access to quality health care.

To this end, Government has commissioned six (6) new SMART health centres which were designed with access for Persons with Disabilities and which integrated sustainable energy solutions, ensuring services continuity during emergencies. Secondary and tertiary healthcare have also been improved through on-going works to upgrade of two hospitals, and the completion of the state-of-the-art Dominica China Friendship Hospital in 2022, offering specialized services free of charge for infants to 18-year-olds and individuals aged 60 and above.

**RIGHT TO EDUCATION**

**Mr. President:,** In the area of education, Dominica has made significant strides in attaining education for all. The Ministry of Education’s Education Sector Plan of Dominica 2020-2025, outlines its mission, vision, and overall direction for Dominica's education sector over the medium term and is focus on gender disparity and alignment to building climate resilience.

My Governments commitment to education is evident in its efforts to improve the quality and relevance of education at all levels. Among our population, we have successfully ensured that all children have access to primary, secondary and tertiary education, a significant milestone in promoting education equality. Concentration has now turned to attaining universal early childhood education which now stands at 90%. This is part of the broader goal of providing inclusive and equitable education for all as outlined in the Sustainable Development Goals (SDGs).

The Government has also placed renewed emphasis on skills training by advancing its Technical Vocational Education Training (T-VET) programs at all secondary schools and to private individuals who can now be issued with National Vocational Qualification (NVQ) certifications upon completion. These certificates are also recognised within the Caribbean Community (CARICOM). I wish to also inform this forum, that Dominica is scheduled to open its T-VET Centre of Excellence by the end of 2025 and expected to become the training hub for major skill sets in support of our Resilience Agenda.

With the support of bilateral partners, [including Canada and China] new schools are being built and others renovated post Hurricane Maria and equipped with climate-resilient infrastructure and additional features for Persons with Disabilities. There have also been successes with the integration of technology in schools, to the extent that all primary and secondary schools presently have access to computers and devices as a teaching aid and/or support to online learning.

**RIGHT TO ADEQUATE HOUSING**

The right to adequate housing is a major priority area, largely owed to the magnitude of devastation to residential homes during the passage of Tropical Storm Erica in 2015, and Hurricane Maria in 2017. During the period under review, several initiatives, have been undertaken to increase housing access particularly for vulnerable families and marginalised groups.

The Government embarked on the goal of providing 5000 residential homes, and 39% of this target has been achieved within this reporting period. Most of these construction were financed by Dominica’s Citizenship by Investment Programme.

ELECTORAL MODERNIZATION

The integrity of the electoral process is a sine qua non to a democratic society based on the rule of law. For almost a decade, the government of the Commonwealth of Dominica have been embarking on legislative and administrative changes to enhance the voting process to ensure that the right of every citizen to participate is enhanced and expanded.

In 2023, our government embarked on the most extensive consultation on the process of electoral modernization, since independence. The consultations were open to all citizens both in Dominica and outside of the country. Citizens were invited to comment on the reports of Sir Denis Byron, who was engaged to review Dominica’s electoral system. The Commonwealth Secretariat, the Organization of American States (OAS) and the Caribbean Community (CARICOM), observed all the public consultations and provided feedback at the end of the exercise.

Following the extensive public consultations several amendments were made based on the recommendations of the public. The consensus document considered the submissions of political parties, civil society, regional and international organizations and other non-state actors.

The draft bills and regulations were sent to the Electoral Commission for consideration, as is required by law. The final documents are expected to be submitted to Parliament for consideration by the end of 2024. It must be understood, that no individual or organization will get everything that they wish for in this round of electoral modernization. We must all, therefore, agree to a process that is robust, and transparent, with a high degree of accountability by those who are involved in the process.

**RIGHTS TO JUSTICE**

**Mr. President,** Dominica has demonstrated a strong commitment to addressing challenges within the justice system and ensuring access to justice within a reasonable timeframe through various critical initiatives. These include the expansion of the police force, with the addition of new recruits in October 2024, and the provision of regular and continuous training programs for prosecutors in key areas such as criminal law.

An additional magistrate has been appointed to expedite court proceedings, and plans are underway to hire a Registrar to enhance administrative support in the Magistrate’s Courts. A significant investment has been made towards the rehabilitation of Magistrate Courts, resulting in the establishment of two new courtrooms in mid-2022.

Efforts are being made to establish a Paper Committal Unit, which aims to meet the need for pre-trials in certain cases and accelerate justice delivery in compliance with human rights standards. Furthermore, Dominica is a beneficiary of the EU-funded Regional Justice Project ("PACE"), launched in 2023, which focuses on addressing backlogs of criminal cases in Caribbean nations through technological advancements, training, procedural reforms, and community awareness initiatives.

**Mr. President,** before I conclude, I now turn to provide brief remarks on recommendations which Dominica noted during the last review. These are as follows:

**DEATH PENALTY**

As of present, Dominica maintains the death penalty by hanging as a discretionary punishment, reserved for the most serious crimes. Since 1986, no one has been sentenced to the death penalty.

At this time, there are no immediate roadmap to establishment of a formal moratorium on the death penalty or to ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights with aims at the abolition of the death penalty.

However, it is important to note that retention of the death penalty in the legal framework does not suggest our support of its arbitrary application. As previously stated, the Government acknowledges that public opinion plays a crucial role in making a definitive decision regarding the abolition of the death penalty. Therefore, Dominica remains open to having assistance to facilitate these necessary dialogues.

**LGBTQI+ ISSUES**

On the matter of LGBTQI+ issues, in April of this year, the Dominica High Court passed a ruling in relation to Sections 14 and 16 of the Sexual Offences Act (SOA). This resulted in the decriminalisation of buggery and other sexual activity between consenting partners, including partners of the same sex, within the confines of their homes. We wish to note that prior to this ruling, there has never been prosecution of these matters involving two consenting adults within the confines of their home. Only cases involving minors and non-consenting adults have been prosecuted.

Also, while it remains that there are no specific laws for LGBTQI+ persons, I wish to affirm that the constitution of Dominica prohibits discrimination based on sex, race, place of origin, political opinions, colour, or creed. Therefore, the Government remains committed to combat all forms of discrimination against all persons within its borders. All persons, irrespective of sexual orientation, are entitled to full rights and freedoms, equal opportunities, and access to essential services.

**CORPORAL PUNISHMENT**

On the matter of corporal punishment, Article 49 of the Education Act of 1997 provides that corporal punishment be used as a last resort, and administered only by the principal, deputy principal, or designated teacher, appointed in writing.

In recent years the Ministry of Education, through various programmes and initiatives, such as the expansion of school counsellors and pastoral care services in schools, has embarked on offering alternative approaches to discipline. This is in an effort to decrease the need for corporal punishment and its eventual elimination in schools.

Also, we look forward to addressing the use of corporal punishment in the penal system in the drafting of the Child Justice Bill.

**CONCLUSION**

Mr. President, I wish to reassure you and the Members of the Council of the Government of Dominica’s steadfast commitment to the promotion and protection of human rights and fundamental freedoms, and to honour our international commitments. My delegation is grateful for the opportunity to participate in this constructive process, and looks forward to the comments and recommendations that will ensue from today’s dialogue.

I thank you.