



**General Assembly**

Distr.  
GENERAL

A/HRC/WG.6/6/DMA/1  
3 December 2009

Original: ENGLISH

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HUMAN RIGHTS COUNCIL  
Working Group on the Universal Periodic Review  
Sixth session  
Geneva, 30 November-11 December 2009

**NATIONAL REPORT SUBMITTED IN ACCORDANCE WITH PARAGRAPH 15 (A)  
OF THE ANNEX TO HUMAN RIGHTS COUNCIL RESOLUTION 5/1\***

**Dominica**

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\* The present document was not edited before being sent to the United Nations translation services.

## **I. INTRODUCTION AND METHODOLOGY**

1. The Commonwealth of Dominica is fully committed to the protection and promotion of human rights as evidenced by its Constitution, domestic legislation, adherence to international treaties, and the existence of national agencies and non-governmental organizations (NGOs).
2. There is a deep respect in the larger Dominican society and government for those human rights articulated in Chapter I of the Constitution of the Commonwealth of Dominica. Such fundamental freedoms as the right to assembly, the right to free speech, and the right to due process are vigilantly guarded by the people of Dominica.
3. The Government of Dominica views development as inextricably bound to the fulfillment of human rights, making the right to development a fundamental right itself as asserted by the Declaration on the Right to Development.
4. The national report of the Commonwealth of Dominica for the Universal Periodic Review has been prepared in accordance with the General Guidelines for the Preparation of Information under the Universal Periodic Review, decision 6/102, as adopted by the Human Rights Council on 27 September 2007.
5. The Ministry of Foreign Affairs was responsible for coordinating meetings with the relevant Government Ministries, and non-governmental organizations (NGOs) towards production of this final report.

## **II. COUNTRY BACKGROUND**

### **A. Political and Social Structure**

6. The Commonwealth of Dominica, located in the Eastern Caribbean between the French Overseas Departments of Guadeloupe to the north, and Martinique to the South, has an area of 754 square kilometers (290 square miles). It attained political independence from the United Kingdom of Great Britain and Northern Ireland on 3 November 1978. It maintains membership in a number of international organizations including the Caribbean Community (CARICOM), the Commonwealth, the Organization of Eastern Caribbean States (OECS), the Organization of American States (OAS), the International Monetary Fund, the United Nations, the World Bank, the International Labour Organization, and the World Trade organization (WTO).
7. Based on the 2001 census, Dominica recorded a population count of 69,625. People of African descent, whose ancestors were slaves, constitute the majority population, and the indigenous people, the Kalinago, comprise five percent of the population.
8. The Commonwealth of Dominica, attained political independence from the United Kingdom in 1978. At independence, Dominica chose to become a democratic parliamentary republic and maintains membership in the Commonwealth.
9. Dominica is a parliamentary democracy patterned on the Westminster political model with three branches of Government, namely, the executive, the legislature, and the judiciary.

Consistent with that model, the Constitution provides that executive authority is vested in the President who is elected by Parliament, and shall hold office for a term of five years. The multi-party political system provides for general elections every five years. The party that emerges with the majority of seats in the parliament forms the Government and may serve a term of five years and may be re-elected. The winning party appoints a leader who serves as Prime Minister and Head of Government.

10. Dominica has a unicameral legislature. The House of Assembly consists of 21 elected representatives. In addition, nine senators may be elected or appointed. Five are appointed by the President on the advice of the Prime Minister, and four are also appointed by the President, on the advice of the Leader of the Opposition.

11. The life of parliament is fixed at five years, at the end of which dissolution takes place through a proclamation by the President. A general election must be held within three months after the dissolution.

12. The executive structure of the Government is headed by the Cabinet, which is presided over by the Prime Minister and comprises the appointed Cabinet ministers. The Cabinet formulates policy and is vested with general control of the Government.

13. The judiciary is the branch of Government responsible for administering the laws of the State and determining issues and disputes arising under these laws.

14. Dominica has had a functioning system of local government since the 1950's, comprising two city councils (Roseau and Portsmouth), one urban council (Canefield), and 37 village councils. The local government system is governed by the Local Government Act.

## **B. Legal and Institutional Framework**

15. The Constitution of the Commonwealth of Dominica is the Supreme Law of Dominica. It is the law which establishes and defines the powers and authority of the main instruments of the State. All other laws must be consistent with the Constitution, otherwise they can be declared null and void. Chapter 1 of the Constitution which guarantees the protection of fundamental rights and freedoms, states:

“Whereas every person in Dominica is entitled to the fundamental rights and freedoms, that is to say, the right, whatsoever his race, place of origin, political opinions, colour, creed or sex, but subject to the respect for the rights and freedoms of others and for the public interest, to each and all the following, namely:

- (a) “Life, liberty, security of the persons and the protection of the law;
- (b) “Freedom of conscience, of expression, of assembly and association;
- (c) “Protection for the privacy of his home and other property and from deprivation of property without compensation.”

16. The Constitution further provides in Chapter I, Section 16 (10), that any person alleging violation of any fundamental rights may apply to the High Court for redress. Appeal of any

decision of the High Court may also be sought from the Eastern Caribbean Court of Appeal and the Judicial Committee of the Privy Council, if necessary.

17. Dominica's court structure provides for three levels of adjudication, namely the magistrate Court, the High Court, and the Eastern Caribbean Court of appeal.

18. If any person is charged with a criminal offence, unless the charge is withdrawn, the case shall be afforded a fair hearing within reasonable time by an independent and impartial court established by Law (Constitution, Chap. I, Sect. 8 (1). Any person may apply to the Supreme Court for redress if he/she thinks that his/her rights and freedoms are being violated. The High Court may make declarations and orders, issue writs, and give such directions as it may consider appropriate.

19. For the purpose of holding Magistrate Courts in the State there shall be a Chief Magistrate and other such magistrates as may be appointed from time to time. The magistrate has jurisdiction to try both summary and civil matters, as well as the holding of preliminary inquiries.

20. The Eastern Caribbean Court of Appeal exercises appellate jurisdiction over both the High Court and Magistracy and has jurisdiction and powers to hear and determine appeals in civil and criminal matters. The Court of Appeal has periodic sittings in Dominica annually. The final appellate court for Dominica is the Judicial Committee of the Privy Council of the United Kingdom. Dominica also recognizes the original jurisdiction of the Caribbean Court of Justice, i.e. for the interpretation of the Revised Treaty of Chaguaramas. The Revised Treaty of Chaguaramas governs the operation of the Caribbean Community (CARICOM) including the CARICOM Single Market and Economy.

21. Fundamental rights in Dominica receive fairly broad coverage in the Constitution of the Commonwealth of Dominica, and in the Laws of the Commonwealth of Dominica.

22. Dominica is also a party to the major international conventions relating to trafficking in persons, smuggling of migrants, status of refugees, international labour conventions, the Hague Conventions on inter-country adoption and child abduction, the Inter-American conventions on the return of children and adoption of minors as well as other international humanitarian law treaties such as the 1949 Geneva Conventions and their protocols.

23. Dominica's human rights infrastructure is comprised of both legal and institutional aspects. The legal aspects include the guarantees enshrined in the Constitution, the provisions of the Laws of the Commonwealth of Dominica, and Dominica's international obligations. In terms of the institutional aspect, responsibilities are accorded to both governmental and non-governmental entities. The Ministry of Community Development, Information, Gender Affairs and Culture is the most active at the Cabinet level and employs a rights-based approach in the delivery of social services and the protection of vulnerable groups. While the Ministry of Community Development, Information, Gender Affairs and Culture bears pre-eminent responsibility for the promotion and protection for human rights, many other ministries have portfolios that impact on the enjoyment of those fundamental rights and freedoms including ministries with

responsibilities for education, health, housing, urban development, youth, sports, economic development, labour, and national security.

24. The Police Internal Affairs Department was established to facilitate the transparent investigation of police actions, of citizens complaints, and to provide an avenue for redress of wrongful police action.

25. The work of Dominican non-governmental organizations has contributed in a significant way to civil society's appreciation for the promotion and protection of human rights in Dominica. The National Association of NGOs (NANGO), established in September 1996, has actively promoted the rights of free association and the role of civil society in national governance. The Dominica National Council for Women is the leading non-governmental advocate for the rights of women, and monitors compliance with CEDAW obligations.

26. The Ministry of Legal Affairs, in partnership with the Organization of Eastern Caribbean States, established a pilot Legal Aid Programme in 2003 which provides legal services to marginalized families and individuals. This programme, now fully financed by the Government of Dominica, reaches an average 600 clients annually. It has a admirable track record and the demand for its services is growing rapidly. Because of financial resource constraints, the programme has not been able to increase its professional legal staff beyond the original two, and its outreach into the communities outside the capital has been severely limited due to transportation constraints. Its public education program has had some measure of success in building public awareness of basic human rights and legislation through an educational series entitled, "You and the Law".

### **III. PROMOTION AND PROTECTION OF HUMAN RIGHTS**

#### **A. Women's Rights**

27. Dominica has made commendable progress in the advancement and promotion of women's rights, gender mainstreaming, and the overall empowerment of women. In adherence to its commitments under the Convention on the Elimination of Discrimination Against Women (CEDAW), the Inter-American Convention on the Punishment and Eradication of Violence Against Women (Convention de Belem do Para) and other international conventions ratified by Dominica, successive Governments have been proactive in guaranteeing equality and non-discrimination in the treatment of women.

28. The fulfillment of the obligations arising from CEDAW and the Convention of Belem do Para is coordinated by the Bureau of Gender Affairs of the Ministry of Community Development, Culture, Gender Affairs and Information.

29. The Constitution of the Commonwealth of Dominica prohibits discrimination on the basis of sex and guarantees equality under the law and the equal protection of the law. Dominica has also ratified a number of international conventions, demonstrating its commitment to the elimination of all forms of discrimination on the basis of sex. They include:

- Convention on the Rights of the Child (CRC) 1990; Optional Protocol to the CRC on the involvement of children in armed conflict; Optional Protocol to the CRC on the sale of children, child prostitution and child pornography
- International Covenant on Civil and Political Rights (1993)
- International Covenant on Economic, Social and Cultural Rights (1993)
- Inter-American Convention on the Prevention, Punishment and Eradication of Violence Against Women – “Convention de Belem do Para (1995)
- Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices similar to Slavery (SCAS)

30. Consistent with the legal tradition of the Anglophone Caribbean Countries, conventions are not automatically incorporated into domestic legislation upon ratification. Legislative actions, however, have been taken to eliminate direct and indirect sex discrimination as follows:

- **The Protection against Domestic Violence Act 2001**
- **The Labour Contract Act** which embodies the principle of equality between men and women and prohibits differences in rates of pay for same work based on the sex of the employee
- **The Social Security Act** which provides for 12 weeks maternity leave. Also, male public sector workers are now entitled to paternity leave pursuant to an agreement between the main trade union and the government signed in December 2008.
- The amendment to the **Title by Registration Act** to accommodate low cost transfer of property between spouses. This has given a tremendous boost to married women’s property ownership.
- **The Sexual Offences Act of 1998**

31. Additionally, Dominica is participating in the OECS Family Law and Domestic Violence Legislative Reform Project, which seeks to bring family law into conformity with CEDAW and CRC. The model legislation under consideration includes Bills for Child Maintenance, Domestic Violence, Status of Children and Child Care and Adoption.

32. Notwithstanding the legislative and policy framework, inequality persists in cultural practices. This is evident in women’s vulnerability to gender-based violence and HIV, the disproportionate burden of care for children, high levels of female-headed households and limited participation of women in political decision-making at the highest levels. In all these areas, the Government has and continues to take measures to confront discriminatory cultural practices.

33. A National Gender Policy was completed in 2006 and ratified by the Cabinet in September 2007. The policy aims to achieve gender equity and equality by eliminating discrimination against women in the policy arenas of health, economic development, violence-producing conditions, education and skills training, and power and decision-making.

34. In response to gender-based violence, Government has given emphasis to law reform, police training, social services for survivors of domestic violence, development of data collection protocols, and public education through the media, popular theatre and workshops. This work is done in collaboration with women's NGOs, trade unions, and faith-based institutions.

35. In the area of law reform, the Sexual offences Act 1998 provides that all trials of sexual offences are to be held in closed court except at the sentencing stage; and anonymity of both complainant and accused is assured during and after the trial, though in the case of the accused, this is lost upon conviction. The need for a corroboration warning has been abolished; as has the admissibility of the sexual reputation or history of the complainant other than with the accused, except where a special application is made for such evidence to be admitted in the interest of a fair trial. The Act also allows for the admissibility of video recorded evidence on the part of minors. Such evidence may be given not only by a victim but also by a child witness to a sexual assault.

36. The Protection against Domestic Violence Act of 2001, which gives a wide definition to the term "abuse", allows for a range of protection orders to be made to secure the safety of spouses, former spouses (whether married or common-law), and persons who have had intimate relations though not sharing a residence and children. The orders include non-molestation, exclusion, occupation and tenancy. The Act allows the court to grant a range of financial relief, including interim maintenance awards for the benefit of the applicant or any child. The Act mandates that there shall be a police response to every complaint of domestic violence, whether or not the complainant is the victim. The Act also establishes a Domestic Violence Register which is kept by the Chief of Police.

37. The Government has also established a Child Abuse Prevention Unit that is responsible for public education programmes as well as the counseling of child victims of abuse. All cases of sexual abuse are supposed to be referred to the police. In addition, the development of the Child Abuse Guidelines has allowed for the ongoing development of closer inter-agency collaboration in the interest of the protection of children and the punishment of perpetrators.

38. There is still much work to be done to strengthen the laws relating to the prevention of gender-based violence. A major area of concern is the inadequate enforcement mechanisms in these pieces of legislation. There is recognition that there is need for further review of the Domestic Violence and Sexual Offences laws to address this deficiency, as well as other issues such as rape within marriage, and the sexual abuse and exploitation of minors over sixteen (16) years.

## **B. Children's Rights**

39. Dominica, having signed the Convention on the Rights of the Child (CRC) on January 28, 1990 and ratified the said Convention on March 13, 1991, continues to give due consideration to children's rights. The Committee on the Rights of the Child bears the dual responsibility of advising Government on matters related to children's rights, and monitoring compliance with the Convention's obligations.

40. A number of programmes and activities have been undertaken to give effect to the Convention. In terms of policy, a protocol on Joint Police and Social Services investigation into

child abuse cases is to be established. In regard, to the legislative framework, Government plans to enact Model Family Legislation drafted by the Organization of Eastern Caribbean States (OECS) Legal Affairs Unit. Among the bills being reviewed are the Status of Children Bill, and the Child Adoption Bill. The Children and Young Persons Act is one of the pieces of legislation which seeks to incorporate specific provisions of the CRC into domestic legislation.

### **C. Trafficking in Persons**

41. In 2003 the Government of the Commonwealth of Dominica legislated against human trafficking. Section 27B of the Immigration and Passport Act Chap. 18:01 of the Revised Laws of Dominica as amended by Act No. 19 of 2003 provides that person is guilty of an offence of human trafficking if that person assists any other person to enter or leave Dominica in an unlawful manner. A person convicted of that offence is liable to a fine of one hundred thousand dollars or to imprisonment for seven years or to both fine and imprisonment.

42. The aforesaid Act also criminalizes the entry into or departure from Dominica otherwise than through an approved port of entry. The law also extends to persons who aids, abets, facilitates or in any way supports or encourages any other person to commit such offence and upon conviction such person would be liable to a fine of twenty five thousand dollars or imprisonment for three years.

43. Human trafficking is an extraditable offence. To date there has been no convictions for the said offence in Dominica.

### **D. Culture**

44. The right to participation in cultural life is guaranteed in the Constitution and enshrined in the Culture Act of 1981.

45. A National Cultural Policy was adopted by the Cabinet in May, 2001. It recognizes the richness and uniqueness of Dominica's cultural heritage and puts forward a 14 point framework for making culture a successful industry. A National Cultural Council exercises oversight over the protection and promotion of Dominican culture.

46. Dominica maintains membership in the United Nations Education, Scientific and Cultural Organization (UNESCO) and has a functional National Commission for UNESCO. Dominica is a state party to several UNESCO conventions relating to culture, including Convention concerning the Protection of World Cultural and Natural Heritage, Convention for the Safeguarding of the Intangible Cultural Heritage, the World Heritage Convention, and the International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations. In 1997, Dominica's Morne Trois Pitons National Park was inscribed on the list of UNESCO World Heritage Sites.

47. The Department of Culture, in collaboration with the Ministry of Education, is undertaking pilot activities to integrate cultural development in a number of schools in Dominica with a view to future coverage at all educational institutions at the primary, secondary and tertiary levels.

### **E. Aging/ Elderly:**

48. The nation's prime recognition of the elderly is asserted on the fundamental rights and freedoms that are to be enjoyed by all citizens as enshrined in the Constitution of the Commonwealth of Dominica. According to the 2001 National Census, older persons constituted 13.4 per cent of the registered population of 69.625.

49. In 1999, the Cabinet adopted a National Policy on Aging. The Dominica Council on Aging, established in 1993, exercises oversight over the implementation of the national policy on aging, and provides advice and input into Government policy making.

50. The government's strong advocacy in maintaining the fundamentals of total care for the elderly fostered the launching of a pioneering programme, the "Yes We Care Programme". This programme is a system of home and community-based care. It seeks to blend with the lives and requirements of the elderly in a harmonious way, heralding further for better synergy and cooperation among the many service providers.

51. In 2007, Government announced the policy of free health care for persons 65 years and older and for youth 18 and under. After review, Government in 2008 decided to lower the age of persons who could benefit from free health care services from 65 to 60 years.

### **F. Prisoner's Rights**

52. The inmate population at Stockfarm Prison includes both remanded and convicted prisoners. The staff of the facility has received training in rehabilitation, and has received exposure to counseling skills which they direct to individual inmates.

53. Government continues to improve the facilities at the Stockfarm Prison. A new cell block was completed in 2008. Separate facilities for juvenile offenders have been established, and a skills training programme has been established for them. Two new vehicles were provided to the facility, and plans are being finalized for improved security to maintain the integrity of the prison. Fourteen additional auxiliary officers were employed, and a new bakery and kitchen facilities have been built.

54. Under the Government Training School Act, Chapter 12:34, there is primary concern by the Government of Dominica for diffusion of skills to young offenders. Provision is being made for establishing a Special Projects Committee to coordinate activities as related to establishing a training school for young offenders. Regarding the provision of adequate facilities, discussions have been held, and land has been identified.

## **IV. CHALLENGES AND PRIORITIES**

### **A. HIV/AIDS**

55. The first reported case of HIV/AIDS in Dominica was an imported case which was diagnosed in 1987. Over the past twenty years Dominica has maintained the trend of a generalized epidemic with a prevalence rate of 0.75 per cent. Present statistics indicate that from

1987-2008 the cumulative figure of HIV infection stood at total of 342 cases. To date, males between the 25-44 age groups represent 71.2 per cent of the infected population.

56. In 2003 a National Strategic Plan dubbed, “Expanding the response, reaping the benefits”, was developed to respond to the HIV/AIDS epidemic in Dominica. The response was guided by the principle that the life of every individual is precious and valuable and therefore all attempts will be made to preserve the well being of the individual regardless of his/her health status, sexual persuasion or other personal characteristics. On the basis of this principle the response focused on the provision of treatment and care for persons living with HIV and AIDS and the prevention of transmission of the virus (among the general population, vulnerable populations and from a mother to her child). In 2008 the Health Information Unit reported a significant decrease in HIV and AIDS related deaths.

57. In 2004, The Ministry of Health and Environment received a quick-start grant from the UK Department For International Development (DFID) to implement the prevention programmes outlined in the National Strategic Plan. These funds facilitated the scale up of care and treatment in Dominica through the provision of free Highly Active Antiretroviral treatment and other specialty care for all persons living with HIV and AIDS. HIV prophylactic treatment is also available for rape victims and for the prevention of vertical transmission.

58. The Global Fund Grant to Fight Tuberculosis, Malaria and HIV/AIDS has also contributed to the expanded response. In December of 2005, counseling and testing for HIV was made free of cost to the general population by the Ministry of Health. This was done in an effort to complement the ongoing educational sessions conducted at the antenatal sites, workplaces, schools, and community-based organizations. A total of 150 counseling and testing providers have been trained and are accessible through the seven health districts around the island.

59. Through the collaborative effort of the PanCaribbean Partnership Against HIV/AIDS (PANCAP) and the National HIV/AIDS Response Programme, twenty seven organizations have received technical assistance to implement an HIV/ AIDS Workplace Programme. The principal objective of the HIV workplace programme is to increase knowledge among the working population and to encourage testing for HIV as a form of prevention.

60. The National HIV/AIDS Response Programme has also established networks with UNFPA to facilitate the provision of female condoms as an HIV Preventative commodity. Through the technical assistance of UNFPA, condom programming has been strengthened in the country and all health care providers are trained to provide information on female condoms. The Programme has also partnered with local NGO’s and community-based organizations, including the Dominica Planned Parenthood Association, the Dominica Christian Council, Lifeline Ministry, Life Goes, the National Youth Council, and the Dominica Red Cross, in the implementation of HIV prevention campaigns. Information Education Communication (IEC) strategies are tailored to address the various target populations. Billboards, print material, radio and television programmes are used to target the MSM population, youth (in and out of school), prisoners, and commercial sex workers with the expectations that it will contribute to behavioral impact.

61. In 2001 the Ministry of Health initiated its Prevention of Mother to Child Transmission (PMTCT) programme to reduce the risk of HIV/AIDS infected pregnant mothers passing on the virus on to their newborns.

62. The challenges facing all National HIV and AIDS Response Programmes are similar. The issue of sustainability continues to threaten the way forward for the expanded response. At the end of the Global Fund Project, the Government of Dominica, like the other Eastern Caribbean States, will be challenged to put in place the necessary mechanisms to absorb the cost of the HIV/AIDS Prevention Programmes.

## **B. Youth**

63. The 2001 Census established that 45.4 per cent of Dominica's population is under the age of 25 years.

64. Dominica recognizes that youth development is critical to overall national development. The process of youth work in Dominica is based on achieving the Millennium Development Goals (MDGs) and adopting the Commonwealth Plan of Action for Youth Empowerment (PAYE). The youth development programmes of Dominica seek to achieve 'Youth Mainstreaming' which is a systematic approach to integrating youth affairs with all relevant stakeholders.

65. The priorities of Dominica in the area of youth affairs have been reflected in the increased investment in youth and the development of an integrated approach to promote youth participation in national development planning. The national strategy for youth focuses on:

- Participation of young people at various levels of government, from community level to national parliament.
- Strengthening of young people's decision-making capacities through volunteerism programmes such as Summer Day Camp, Community Volunteer Leadership, etc.
- Promotion of improved access to Information Communication Technology (ICT) through the establishment of tele-centres, increased training of youth in computer literacy and maintenance, increased school curricula.
- Development and implementation of measures promoting the economic enfranchisement of young people through the Dominica Youth Business Trust, Small Business Development Unit and other programmes which promote an integrated approach to self-development and micro-enterprise
- Youth Empowerment by creating the supporting environment to allow them to make choice, access to knowledge, information, and skills; e.g. Youth Skills Training Programme, Universal Secondary Education.
- Strengthening national programmes for youth involvement in health issues and the prevention and control of HIV/AIDS and other STI's; eg. Peer Education and Peer Counseling.

66. Challenges in youth development include:

- The inability to appropriate adequate resource allocation, and to provide the supportive legal and administrative framework to all relevant sectors for youth development.
- The undertaking of timely national review and update of the National Youth Policy and strategic action plan.
- The setting up of the necessary machinery to mainstream a youth perspective in all relevant policy areas including the formation of an Inter-Ministerial Committee on Youth as stated in the National Youth Policy.

### **C. Good Governance**

67. In 2003, Government presented the Integrity in Public Office Bill to Parliament for the purpose of ensuring that public officials provide service to the people of Dominica with integrity, probity, transparency and accountability. The related Commission became operational effective September 1, 2008. The implementation of Integrity in Public Office (IPO) Act is a concrete demonstration of Government's commitment to good governance. In recognition of shortcomings in the legislation, the Act is therefore undergoing a process of review.

68. The active participation of citizens in the development of Dominica has been promoted as a critical element of its democratic system of governance. For more than a century, Dominica has had a vibrant system of local government which has fostered a long tradition of political decentralization that has encouraged local autonomy and popular participation in the country's decision making process.

69. Dominica's local government system, introduced during the period of direct British rule, has evolved over the years from a solitary Board in the capital to a network comprising forty-one (41) Local Authorities comprised of three (3) municipal Councils, the Roseau City Council, the Portsmouth Town Council, and the Canefield Urban Council. There are also the Carib Council and thirty-seven (37) Village Councils. Each of these councils was established under different circumstances over the one hundred (100) years of Local Government existence in Dominica. These Local Authorities serve as conduits through which central government policy outputs, programmes, projects, and information impact on local communities. Simultaneously, it also provides the means by which community inputs can be institutionally conveyed to Central Government. That process, once the feedback mechanism is operationally functional, helps in maintaining the stability and the development administration of the State. It is the most "grass-roots" arm of government within a democratic system.

### **D. Indigenous People's Rights**

70. The rights of Dominica's indigenous people, the Kalinago, are enshrined in the Constitution, and the Carib Reserve Act of 1978. The Kalinago people live in the 3800 acre Carib Territory which is characterised by a communal land tenure system, and governed by the Carib Chief and the Carib Council.

71. Central to Dominica's development thrust is particular focus on the advancement of our indigenous peoples. At the United Nations, Dominica has been steadfast in its support of the Declaration on the Rights of Indigenous People and has been unwavering in its support for the UN Permanent Forum on Indigenous Issues (PFII).

72. The Government of Dominica has undertaken important initiatives to improve social development for our indigenous Kalinago people. The Ministry of Carib Affairs was formally established in 2005. Its creation, and the policy direction of its Minister, the Honourable Kelly Graneau, the elected Member of Parliament for the Carib Territory, has contributed to the heightened attention which Government accorded to comprehensive development of the Kalinago people. Over the last ten years, significant investment has been directed towards improving housing in the Carib Territory. This has included the construction of new homes for the most vulnerable, repairs of existing homes where necessary, and the establishment of a building fund that makes financing available on concessionary terms to public officers of the Carib Territory. Other infrastructural works include the improvement of the water supply and the construction of a recreational facility. In the area of education, there is ongoing construction work on a modern primary school facility, while several Kalinago youths are now assisted with tertiary level training in institutions within and outside of Dominica. The infrastructure projects have contributed to increasing levels of employment for the Kalinago people.

#### **E. Persons with Disabilities**

73. Consistent with the constitutional provision affording protection from discrimination, successive governments have consistently made commitments towards the full integration of persons with disabilities into society. An important element of this commitment is a pledge to increase public awareness of the rights and needs of persons with disabilities, and the importance of recognizing their equal rights under the Constitution and laws relating to human rights.

74. Government signed the Convention on the Rights of People with Disabilities on March 30, 2007. An initial consultation with the primary advocate for rights of the disabled, the Dominica Association of Disabled People (DADP), and other key stakeholders was held in 2008 to familiarize implementing organizations with the obligations under the Convention and to assess the country's readiness for its implementation. Further discussions are planned with a view towards ratification of the Convention.

74. Two schools in Dominica provide targeted educational programmes for children with disabilities. They are the School for the Hearing Impaired, which is Government funded, and the Alpha Centre, a privately-funded school for the mentally challenged which receives some Government assistance. Education of children with disabilities remains a serious challenge in Dominica as many disabled children outside the capital remain outside the orbit of access to education.

#### **F. Education**

75. The Government of Dominica is committed to ensuring the right of every Dominican to quality education. The education system is governed by The 1997 Education Act, which makes

education compulsory for any person between the five years and fifteen years of age. Dominica has attained Universal Secondary Education.

76. The establishment of Universal Secondary Education has allowed for every child to access a secondary education. It was also recognised that with the implementation of Universal Secondary Education there was a simultaneous need to enhance students' Literacy Skills.

77. The Education Regulations have been completed and almost in a ready state for submission to the Cabinet. These regulations will clarify and provide the necessary details to the provisions of the 1997 Education Act. It is expected that when formally approved, the regulations will serve as a vital tool for interpretation of the provisions of the 1997 Education Act.

78. There is a broad recognition of the need to ensure the development of clear policies, programmes and strategies aimed at improving the physical capacity, the learning effectiveness, and the social climate of schools. As a result, the Ministry of Education has embarked on various education initiatives which can be categorised under six broad headings namely, safety net/support programmes for the students, the development of human resource capacity, plant construction and maintenance, quality control mechanisms, teaching and learning and education legislation.

79. The Ministry of Education considers as important the emotional and social needs of students. As a result the Ministry has established several safety nets aimed at less advantaged families so that all students have equal access to a well balanced education. These include the school text book scheme, school transfer grants and transportation payments, establishment of student bus services within several communities, school registration grants, uniform allowance and other forms of assistance by the Education Trust Fund.

80. With the creation of the Dominican State College in 2004, the number of Dominicans receiving tertiary level education has quadrupled. In addition, there has been a significant increase in the number of scholarships awarded by the Government of Dominica towards pursuit of higher education overseas.

81. Establishment of the National Accreditation Board is a formal mechanism introduced in September 2009 for ensuring quality control within the education system. One element of this quality control mechanism is to institutionalise a school review process. School reviews, started in 2004, are designed to assist schools in enhancing their effectiveness.

82. At the early childhood level, there is continued focus on inspecting, registering, licensing, monitoring and improving early childhood facilities on a national level. The inspection, certification and monitoring of these learning institutions ensures that quality early childhood care is provided for all students. So far seventy-eight (78) Early Childhood Facilities have been issued three-year licenses and those which require improvements are being upgraded with funds secured from UNICEF. Training for pre-school teachers is also an area of focus this Academic Year. In addition, government has recently committed itself as part of the 2009 – 2010 national budget to making financial contributions to early childhood centres.

## **V. EXPECTATIONS OF THE STATE**

### **A. Capacity-Building**

83. To enhance a broader understanding and appreciation of human rights and its applications, the pursuit of human rights education must be a national objective in the public, private and civil society domains. The Government has identified the need for further capacity-building to ensure that a rights-based approach is applied throughout decision-making and planning processes in all three sectors: public, private and civil society sectors so as to enhance greater responsiveness to the needs of victims of human rights abuses.

### **B. Technical Assistance**

84. Dominica like other small island developing states is plagued by shortage of trained personnel to monitor the implementation aspect of its human rights commitments, compile and analyze relevant data and produce requisite reports. Dominica is in need of technical assistance in several areas including human rights education, human rights monitoring, and human rights reporting to international bodies. Government is committed to the development of a sustained and effective human rights education campaign which can only be realized through a program of technical assistance from the human rights machinery of the United Nations and from bilateral commitments.

85. Dominica requests technical assistance in preparing its national reports to the various treaty bodies. Its limited capacity in this arena has resulted in much difficulty in preparing and presenting timely reports on its efforts to implement its obligations to the various human rights treaties it has ratified.

86. Government has determined that an improved mechanism for better monitoring the impact of measures in place for the promotion and protection of fundamental rights and freedoms is a desirable objective. Dominica desires assistance in the implementation of an appropriate and manageable system of data collection.

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