

Antigua and Barbuda NGO's Report

Human Rights Council

Universal Periodic Review.



Public Relation Officer

Laws enacted

- A Sexual Offences Act passed in 1995. By this law, the age of consent for the purposes of sex was increased from 14 to 16 years. Provision has also been made for hearing, in camera, all rape cases and all cases involving minors. A husband can now be held liable for sexually assaulting his wife. The law also addresses the issue of incest which had not been addressed in the existing Offences Against the Person Act. Apart from the biological relatives of a child, a guardian or person on whom a child is dependent can be charged for sexual misconduct towards that child.
- The Domestic Violence (Summary Proceedings) Act was passed in 1999.
- Amendment of Labour Code: Granting of maternity benefits; 1995: Sexual Offences Act: Change of age of consent to 16 years for both sexes.

Policies Implemented

- A national Multi-sectoral Committee on the Rights of the Child in place to monitor and evaluate the implementation of the rights of the child. Both Government and NGO presented a draft bill on “The Child Care and Protection Agency Bill, 2003”. The bill seeks to protect children of both sexes who may be in situation of abuse.
- 2002 Draft National Policy for the Elderly
- Social Security Act of 1972 amended in 1995 to expand financial assistance coverage to non-pensionable, destitute, elderly persons earning less than EC\$ 5000 per year.
- Since 1993: Ministry of Health and Social Improvement’s Home Care for the Elderly Programme. Social workers visit the elderly, help with the preparation of meals and provide referrals for health and nursing care. Active NGOs: the Antigua and Barbuda Pensioners’ Association and the Senior Citizens’ Association.
- Pension: A non-contributory pension scheme was introduced in 1994 to provide assistance to those in need. Additionally, a relief scheme is operated by the Board of Guardians, which supports those with no other coverage.
- Health Policy revised in 1997 accordingly

Partnerships established

- With encouragement from Government, Private Sector importers and sales representatives have offered discount on RH commodities.
- In 2001, under the auspices of the Directorate of Gender Affairs, the Government and the OAS, a three year funding project has been established on “Women’s Political Participation: Training in Governance and Democracy” in three countries including Antigua and Barbuda.
- A National Committee was established in collaboration with CARICOM – “The Social Indicators and Millennium Goals Committee”.
- IEC through AIDS Secretariat to increase knowledge on available services.
- Programmes in HFLE and joint project with AIDS secretariat and UNODC.

Continuing challenge

Boys/men do not avail themselves of the services of Family Planning as readily as women. Family Planning is considered to be the responsibility of women. This may be a contributing factor to the relatively high incidence of prostate cancer in older men.

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Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

The law prohibits discrimination based on race, sex, creed, language, or social status, and the Government generally respected these provisions in practice.

Women

Violence against women was treated as a matter of public concern, and nongovernmental social welfare groups focused on the problem. Women in many cases were reluctant to testify against their abusers. A 1999 Domestic Violence Act prohibits and provides penalties for domestic violence, as well as rape and other sexual offenses. Organizations such as the Government's Directorate of Gender Affairs sought to increase women's awareness of their rights under the law in cases of domestic violence. The Directorate of Gender Affairs instituted a domestic violence program that included training for police officers, magistrates, and judges. The Directorate also ran a domestic abuse hotline and worked with a nongovernmental organization (NGO) to provide safe havens for abused women and children. There were a number of active NGOs that addressed issues affecting women.

Prostitution is prohibited, but it was a problem.

Sexual harassment is illegal, but it was rarely prosecuted. According to the Labor Department, there was a high incidence of sexual harassment reported by employees in both the private and public sectors.

While the role of women in society is not restricted legally, economic conditions in rural areas tended to limit women to home and family, although some women worked as domestics, in agriculture, or in the large tourism sector. Women were well represented in the public sector; 54

percent of the public service and over half the permanent secretaries--the most senior positions--were female. In addition, 41 percent of the bar association members were female.

The Professional Organization for Women of Antigua was a networking and resource group for female executives. It held seminars for women entering the workforce during the year.

Children

While the Government repeatedly expressed its commitment to children's rights, its efforts to protect those rights in practice were limited. The Government provided education for children through the age of 16; it was free, universal, and compulsory. However, schools faced many shortages, and parents typically provided desks and chairs for their children. Although shared textbooks were provided, parents often purchased books; parents also must provide uniforms. Children had access to health care and other public services.

Child abuse remained a problem. The age of consent is 16 years. In 2001, the police uncovered a child pornography and prostitution ring, and high-ranking members of society reportedly were implicated. A task force with representatives from both the government and nongovernmental sectors was created to investigate the matter. No cases have been prosecuted; several were dismissed because the complainant failed to appear.

Persons with Disabilities

No specific laws mandate accessibility for persons with disabilities, but constitutional provisions prohibit discrimination against the physically disabled in employment and education. There was no evidence of widespread discrimination against persons with disabilities, although the Government did not enforce the constitutional anti-discrimination provisions. In 2002, there was one complaint that a person was not hired due to a disability; the Labor Commission resolved this case and determined the complaint was not valid because of the nature of the job. The Commission did not receive any complaints during the year.

The Right of Association

Workers have the right to associate freely and to form labor unions. Approximately 75 percent of workers belong to a union, and the hotel industry was heavily unionized. There were two major trade unions: The Antigua and Barbuda Trades and Labour Union (ATLU) and the Antigua and Barbuda Workers' Union (AWU). The ATLU was associated with the ruling ALP, while the larger and more active AWU was allied rather loosely with the opposition.

The law prohibits anti-union discrimination. The Labor Commission may require employers and employees to submit to mediation if antiunion discrimination is alleged. However, the mediator's recommendations are not binding, and either party may seek recourse to the courts. Employers found guilty of anti-union discrimination are not required to rehire employees fired for union activities. On February 5, the Government ratified International Labor Organization (ILO) Convention 100 (Discrimination in Employment).

Unions are free to affiliate with international labor organizations, and they did so in practice.

Antigua and Barbuda National Response to HIV/Aids

The National Strategic Plan (NSP) plan for the extended response to HIV/Aids in Antigua and Barbuda completed in 2001 identifies six priority areas for addressing this country's HIV epidemic. These are:

- (1) Education and Prevention
- (2) Treatment, Care and Support
- (3) Employment and Social Mobilisation
- (4) Surveillance, /epidemiology and Research
- (5) Programme Coordination and Management

Consistent with the National Strategic Plan of Antigua and Barbuda through the Ministry of Health aims to:

Improve the quality of life for all persons living with HIV/Aids (PLWHA) by providing comprehensive care, treatment and support.

Reduce the number of new infections through sustained health promotion campaigns and the prevention mother-to-child transmission.

HIV/Aids care will be integrated into existing public health structure. Voluntary counseling and testing and primary care services will be delivered at community health centres, private medical offices and the laboratories of the Mount St. John's Medical centre (MSJMC) and the Hanna Thomas Hospitals. These hospitals will continue to provide inpatient services and their pharmacies will dispense antiretroviral drugs. Designated health care professionals will perform special care services.

Each sector or organisation will develop its area of response to the HIV/Aids epidemic and identify a senior staff to act as focal point. Any policy decisions needed based on these work plans will be recommended by the National Advisory council on HIV/ Aids (NACHA), through the Ministry of Health to the Cabinet for approval (Appendix X).

Some services

In Antigua and Barbuda the government has in place a few services for persons with disabilities, the elderly, the less fortunate and the mentally challenge. The people's benefit card, some trained teachers for dyslexia, the reading of the News through a Sign language Interpreter, a school for the deaf, a National rehabilitation center and The Adale School for mental Retardation.

Accessibility

Although there is no law for DCA buildings codes contactors are asked to include for persons with disabilities, when building structures be it public or private.

Also the new hospital Mount St. John's Medical Center (MSJMC) is in brail and very accessible, also some churches, banks and schools.

What is need to obtain

The government needs to ratify the UN Convention on the rights of persons with disabilities without anymore delay.