



**International Convention on  
the Elimination  
of all Forms of  
Racial Discrimination**

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COMMITTEE ON THE ELIMINATION  
OF RACIAL DISCRIMINATION

**REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 9  
OF THE CONVENTION**

**Ninth periodic reports of States parties due in 2005**

**Addendum**

**ANTIGUA AND BARBUDA\* \*\***

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\* This document contains the initial, second, third, fourth, fifth, sixth, seventh, eighth and ninth periodic reports of Antigua and Barbuda, due on 24 November 1989, 1991, 1993, 1995, 1997, 1999, 2001, 2003 and 2005 submitted in one document.

\*\* In accordance with the information transmitted to States parties regarding the processing of their reports, the present document was not formally edited before being sent to the United Nations translation services.

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## Foreword

1. This report is the initial, second, third, fourth, fifth, sixth, seventh and eighth (consolidated) to be submitted to the Committee on the Elimination of Racial Discrimination (hereinafter referred to as the Committee) since the signing and ratification by Antigua and Barbuda of the International Convention on the Elimination of All Forms of Racial Discrimination on 25th October 1988.
2. This report is presented as two parts, as outlined in the reporting guidelines provided by the Committee. The first part of this report provides an introduction to and profile of Antigua and Barbuda, including a description of Antigua and Barbuda's policy of eliminating racial discrimination in all its forms. Additionally, the first part outlines the general legal framework within which racial discrimination is prohibited within Antigua and Barbuda, and indicates how the provisions of the Convention are invoked and enforced by the legislative and judicial system. To the extent possible, relevant information on the demographic composition of the population of Antigua and Barbuda has also been included.
3. The second part of this report deals individually with each of the substantive provisions of the Convention.

## I. GENERAL INFORMATION

### Geography

4. The islands of Antigua and Barbuda are located at 17 degrees latitude North and 61 degrees longitude West, in the Caribbean sea. Antigua, the largest of the three island grouping of Antigua, Barbuda and Redonda, covers an area of 281 square kilometres, while the island of Barbuda covers an area of 161 square kilometres. Uninhabited Redonda covers barely one square kilometre.
5. The climate of Antigua and Barbuda is tropical, with little seasonal variation in temperature. June 1<sup>st</sup> to November 30<sup>th</sup> is regarded as the hurricane period. Long periods of drought are not uncommon. Geographically, Antigua and Barbuda are predominantly low-lying limestone and coral islands, with a few higher volcanic areas. While these volcanic areas are understood to be inactive, an eruption on nearby Montserrat occurred in 1995.

### Population structure

6. The first people known to have lived in Antigua, the Siboney, were of the Meso-Indian Age. Around the second century BC, an Amerindian people referred to as the Arawaks left their original home in Venezuela and established settlements in Antigua that remained until the first British settlement was created. None of either group remains on the islands, although a number of Caribs reside on nearby Dominica. The people of Antigua and Barbuda are mainly of African descent, their fore-mothers and fathers having been brought to the islands as slaves in the 17th and 18th centuries from the West Coast of Africa. The rest of the population is comprised of descendants of British Colonizers and Portuguese imported as labourers in the 19th century. There are also a growing number of Europeans and North Americans who have come to

Antigua and Barbuda to retire. According to the figures obtained during the 2001 census, the population of Antigua stands at 75,561, while a further 1,325 reside on the island of Barbuda.

7. As far as religious structure is concerned, the Antiguan people are deeply religious and primarily Christian. There are over 100 churches throughout the state, and they are well attended and supported. There is also a small non-Christian presence, including roughly one percent of the population that classify themselves as followers of Rastafarianism.

8. While Antigua's substantial tourism industry attracts workers from all over the globe, there are no recorded incidents of a discriminatory or prejudicial nature stemming from these foreign workers.

### **Demographic indicators**

9. Presented here are the key demographic indicators as requested in UN Document HRI/CORE/1:

Population: 76,886 (2001 estimate)

Population percentage male/female: 46.94% / 53.03% (2001)

Per capita income: \$26 106M ECD / \$9668M USD (2003 est.)

Gross Domestic Product: \$1.21B ECD / \$448M USD (2000)

Rate of inflation: 1.74% (2004 est.)

External debt: \$1 5554.67M ECD / \$75.14M USD (1999)

Rate of unemployment: 6.03% (2001 est)

Literacy rate male/female: 98.4 % / 99.42 % (2001 est.)

Major religions: 25.7% Anglican, Moravian 10.4%, Roman Catholic 10.4%, Methodist 7.9%, Seventh Day Adventist 12.2%, Pentecostal 10.6% (2001 est)

Population by ethnic origin: 91% black, 4% mixed, 2% white, 3% other / not stated (2001 est)

Life expectancy (male/female): 72.22 / 78.71 (2003 est.)

Infant mortality: 14.49/1000 live births (2003 est.)

Maternal mortality: N/A

Fertility rate: 2.31 children born/woman (2001 est.)

Percentage of population under 15: 28.2% (2001 est)

Percentage of population over 65: 6.8% (2001 est)

Percentage of population in urban / rural areas: 32 % / 68% (2001 est)

Percentage of households headed by women: 13.9% (2001 est).

### **Political structure**

10. Antigua and Barbuda, having gained independence from the United Kingdom on 1<sup>st</sup> November 1981, is a constitutional monarchy with a British-style parliamentary system of government. The reigning British monarch is represented in Antigua by an appointed Governor General as the head of state. The government has three branches: legislative, executive, and judicial.

#### **Legislative branch**

11. The bicameral Parliament consists of the seventeen-member House of Representatives, responsible for introducing legislation, and the seventeen-member Senate, which reviews and gives assent to proposed legislation. Representatives are elected by popular vote in general elections that are constitutionally mandated every five years but may be called earlier. Senators are appointed by the Governor General. The major figures in Parliament and the government come from the House of Representatives. The Prime Minister is the leader of the party that holds the majority of seats in the House; the Opposition Leader is the representative, appointed by the Governor General, who appears to have the greatest support of those members opposed to the majority government. The Prime Minister creates an executive government and advises the Governor General on the appointments to thirteen of the seventeen seats in the Senate. The leader of the opposition, recognized constitutionally, is responsible for advising the Governor General on the appointment of the remaining four senators to represent the opposition in the Senate. The Opposition Leader also consults with the Governor General, in conjunction with the Prime Minister, on the composition of other appointed bodies and commissions. In this way, the opposition is ensured a voice in government.

#### **Executive branch**

12. The executive branch is derived from the legislative branch. As leader of the majority party of the House of Representatives, the Prime Minister appoints other members of Parliament to be his cabinet ministers.

#### **Judicial branch**

13. The judicial branch safeguards the constitutional rights of Antiguan and Barbudans and is relatively independent of the other two branches, although the magistrates are appointed by the Office of the Attorney General in the executive branch. Since human rights issues are embodied in the constitution and legislation of Antigua and Barbuda, there is no specific court that has exclusive jurisdiction over human rights. Rather, the judiciary in its entirety has such jurisdiction.

14. The judiciary consists of the Magistrates Court for minor offenses and the High Court for major offenses. Cases from the High Court can be appealed to the Eastern Caribbean States Supreme Court, whose members are appointed by the Member States of the Organisation of the Eastern Caribbean States (OECS). These member states are: Antigua and Barbuda, British Virgin Islands, Dominica, Grenada, Montserrat, St Kitts and Nevis, Anguilla, St Lucia, and St Vincent and the Grenadines. All appointments or dismissals of magistrates of the

Supreme Court must meet with the unanimous approval of the heads of government in the OECS system. The Prime Minister of Antigua and Barbuda acts on the recommendation of the attorney general in making decisions concerning this judicial body.

15. The Judicial Committee of the Privy Council, located in London, stands as the final court of appeal for Antigua and Barbuda. It hears appeals from the Eastern Caribbean Supreme Court and its decisions are binding on all OECS member states. The Caribbean Court of Justice (CCJ), inaugurated in April 2005, is the regional judicial tribunal. In its original jurisdiction, it deals with matters pertaining to the Caribbean.

16. Single Market and Economy. It also proposes to replace the Judicial Committee of the Privy Council as the final court of appeal for member states of the Caribbean Community. Antigua and Barbuda has accepted jurisdiction of the CCJ in its original jurisdiction. However, a constitutional referendum is required before acceptance of the CCJ as its final court of appeal.

### **Administrative structure**

17. Antigua and Barbuda consist of 6 parishes - Saint George, Saint John, Saint Mary, Saint Paul, Saint Peter, and Saint Philip - and 2 dependencies, Barbuda and Redonda. Government of the parishes is conducted by government on a national level, with no separate municipal government structures that relate to the implementation of the Convention.

### **Government policies on racial discrimination**

18. There exists in present-day Antigua no single racial or ethnic group that is in specific need of legislative protection. The relative homogeneity of Antiguan society and culture precludes the requirement for any special measures in the area of advancing specific racial or cultural groups. Nonetheless, there exists a significant legal framework within which racial discrimination is expressly forbidden.

19. The Constitution of Antigua and Barbuda stands as the supreme law of the land. If any other law is determined to be inconsistent with the Constitution, the Constitution shall prevail and the other law shall, to the extent of the inconsistency, be void. The Constitution provides every citizen of Antigua and Barbuda with certain inalienable rights and freedoms. These rights and freedoms are awarded equally and explicitly to all citizens, regardless of race, place of origin, political opinions or affiliations, colour, creed or sex, but subject to respect for the rights and freedoms of others and for the public interest. As outlined in Article 3 of the Constitution, these rights are:

(a) Life, liberty, security of the person, the enjoyment of property, and the protection of the law;

(b) Freedom of conscience, of expression (including freedom of the press) and of peaceful assembly and association; and

(c) Protection for his family life, his personal privacy, the privacy of his home and other property and from deprivation of property without fair compensation.

20. Article 14 of the Constitution states that no law shall make any provision that is discriminatory either of itself or in its effect. The third paragraph of Article 14 describes “discriminatory” as affording different treatment to different persons attributable wholly or mainly to their respective descriptions by race, place of origin, political opinions or affiliations, colour, creed, or sex whereby persons of one such description are subject or are accorded privileges or advantages that are not accorded to persons of another such description.
21. The third subsection of paragraph 4 of Article 14 addresses the issue of “securing adequate advancement of certain racial or ethnic groups or individuals require such protection as may be necessary in order to ensure such groups or individuals equal enjoyment or exercise of human rights or fundamental freedoms” as raised in article 1(4) of the Convention. It specifically allows laws to be passed, or measures to be taken, whereby certain groups may be accorded any privilege or advantage that, having regard to its nature and to special circumstances pertaining to those persons or to persons of any other such description, is reasonably justifiable in a democratic society.
22. The abovementioned section of the constitution affords the government of Antigua and Barbuda the capacity, should it be deemed appropriate, to enact legislation to combat specific issues of racial discrimination as they arise, while still affording all citizens equal and unbiased protection under the law.
23. Freedom of religion is firmly entrenched in the Constitution of Antigua and Barbuda. Article 11(1) of the Constitution declares that, no person shall be hindered in the enjoyment of his freedom of conscience, the said freedom including freedom of thought and of religion, freedom to change his religion or belief, and freedom, either along on in community with others, and both in public and in private, to manifest and propagate his religion or belief in worship, teaching, practice and observance.
24. Article 11(2) further states that, except with his own consent (or, if under the age of 18, the consent of a parent or guardian) no person attending any place of education shall be required to receive religious instruction or to take part in or attend any religious ceremony or observance if that instruction, ceremony of observance relates to a religion other than his own.
25. Article 11(3) states that no person shall be compelled to take any oath which is contrary to his religion or belief or to take any oath in a manner which is contrary to his religion on belief. Further to this, The Antigua and Barbuda Citizenship Act, under which persons are granted citizenship, provides explicit instructions for both Christian swearing and secular Affirmation as a means of proclaiming allegiance during the naturalization process.
26. The Constitution of Antigua and Barbuda contains numerous provisions that ensure minorities or non-English speakers are not disadvantaged in their dealings with the government and judicial system. Article 5(2) states that any person who is arrested or detained shall be informed orally and in writing as soon as is reasonably practical, in language that he understands, of the reason for his arrest or detention.
27. Article 15(2) subparagraph F further provides that every person who is charged with a criminal offence shall be permitted to have without payment the assistance of an interpreter if he cannot understand the language used at the trial of the charge.

28. The Antigua and Barbuda Labour Code explicitly prohibits racial discrimination. Article C4(1) states that no employer shall discriminate with respect to any person's hire, tenure, wages, hours, or any other condition of work, by reason of race, colour, creed, sex, age or political beliefs. It is worth noting that such offences are not taken lightly, with the punishment for contravention of section C4(1) being a fine of three thousand dollars and imprisonment for twelve months.

29. The Education Act also provides specific protection against discrimination. Section 7 of the Act reads: "No person shall be refused admission to any public school on account of the religious or political persuasion, race or social status of such a person or his parents." Additionally, Section 33 of the Education Act allows parents to withdraw their child from the religious instructions or observances of the education system "without forfeiting any of the other benefits of the school." Incorporated into Section 33 is also the allowance for observance of "any day specially set apart for religious observance by the religious body to which the parent belongs", along with related clauses of religious allowance.

30. According to the legal structure of Antigua and Barbuda, the provisions of an international human rights instrument are not automatically determined to be national law unless active measures are taken to adopt them into national law. Accordingly, the government of Antigua and Barbuda invokes the provisions of the Convention both by passing legislation and developing and implementing government programs. As outlined above, the wide-ranging protections afforded to citizens of Antigua and Barbuda by the Constitution mean that no further legislation is needed in Antigua to combat racial discrimination at this time. Nonetheless, there is a comprehensive national policy that aims to maintain Antigua's *de facto* equality at the same level as the *de jure* equality guaranteed by the Constitution. In particular, the Ministries of Education and Tourism have maintained numerous policies and programs to address any potential discriminatory issues. Specific details of these policies and programs are provided in section two of this report in connection with the relevant Convention article.

31. Additionally, there exists within the government of Antigua and Barbuda a very important office - that of the Ombudsman. The Ombudsman's office exists as a distinct and impartial entity, with the express purpose of fielding complaints or concerns of the populace regarding the fairness and justice of the ruling party's actions. The position of Ombudsman is a non-elected, non-partisan position within the government. The Ombudsman reports directly to the legislature, presenting his facts and findings on an annual basis. Additionally, the results of his investigations are published in yearly reports for all to see.

## II. SUBSTANTIVE PROVISIONS

### Article 2

32. Article 3 of the Antigua and Barbuda Constitution guarantees the fundamental rights and freedoms to all citizens, regardless of race, place of origin, political opinions or affiliations, colour, creed or sex. Furthermore, Article 14 of the Constitution prohibits any law or provision from being discriminatory either of itself or in its effect.

33. Article 12 of the Constitution provides for protection of freedom of expression, including freedom of the press, but explicitly states that such freedom does not extend to the violation of



another individual's rights, as protected under Article 3, to be free from racial discrimination. Additionally, there are separate pieces of legislation, The Broadcast Act and the Freedom of Information Act. These Acts, while still in their formative stages, promise to directly address the issues of print, radio and television media. These Acts will address the issue of racial and/or ethnic propaganda.

34. Article 11 provides protection of freedom of conscience, significantly outlining freedom of religion and worship without interference.

35. Additionally, as mentioned previously, the office of the Ombudsman maintains a policy to investigate each and every complaint received regarding issues of racial or ethnic discrimination. The Ombudsman is also able to recommend the addition or subtraction of legislative provisions addressing issues of racial or ethnic discrimination, including making the recommendation that legislation deemed to be discriminatory in nature (and accordingly in contradiction with Article 14 of the Constitution) be repealed or rewritten to conform to the principles of universal equality as set out in Article 3 of the Constitution. Additionally, the Ombudsman can, where appropriate, suggest that the government consider programs of affirmative action to encourage further racial and ethnic harmony and cooperation. To date, no such recommendations have been deemed necessary.

36. The Government of Antigua and Barbuda firmly believes that peaceful and harmonious coexistence between each of a nation's ethnic and racial groups should be the goal of every government. In such an atmosphere, special and concrete measures designed to establish equality and peaceful coexistence are deemed unnecessary, for the ends they hope to achieve already exist. To that end, the Government of Antigua and Barbuda points to the peaceful coexistence of its many peoples as positive proof that such programs are, at the present time, wholly unnecessary within its borders. At the same time, the government of Antigua and Barbuda reaffirms its commitment to maintaining such racial and ethnic harmony, and indicates its willingness to address, via legislation and/or government-led initiatives, any racial or ethnic tensions among its people in the unlikely event that they should arise.

### **Article 3**

37. Article 3 of the Convention addresses the issue of apartheid and racial segregation. During the period of time that South Africa was governed by a racist regime, Antigua and Barbuda's diplomatic and economic interactions were addressed by the External Trade Act, and specifically the Import and Export Restriction Orders made under that act. These Restriction Orders expressly forbid both the importation of "all classes of goods from or originating in any part of South Africa" and "the exportation of all classes of goods...from Antigua and Barbuda to the Republic of South Africa". It is with great relief that the Government of Antigua and Barbuda witnessed the replacement of this racist regime via free and fair interracial elections in 1992. With the fall of South Africa's apartheid regime came a renewed interest in building ties between Antigua and Barbuda and the newly elected government of South Africa. Nevertheless, Antigua and Barbuda recalls the deeply divisive policies of the former apartheid regime, and reaffirms its commitment to assist the international community in isolating, both diplomatically and economically, any country around the world that pursues policies of apartheid or racial segregation. The Prime Minister of Antigua and Barbuda, the Honourable Baldwin Spencer, has

stated that his government would move quickly, both through national legislation and international negotiation, to discourage such discriminatory policies wherever they may occur.

#### **Article 4**

38. At the time of signature, the Government of Antigua and Barbuda made the following declaration:

“The Constitution of Antigua and Barbuda entrenches and guarantees to every person in Antigua and Barbuda the fundamental rights and freedoms of the individual irrespective of race or place of origin. The Constitution prescribes judicial processes to be observed in the event of the violation of any of these rights, whether by the state or by a private individual. Acceptance of the Convention by the Government of Antigua and Barbuda does not imply the acceptance of obligations going beyond the constitutional limits nor the acceptance of any obligations to introduce judicial processes beyond those provided in the Constitution.

The Government of Antigua and Barbuda interprets article 4 of the Convention as requiring a Party to enact measures in the fields covered by subparagraphs (a), (b) and (c) of that article only where it is considered that the need arises to enact such legislation.”

39. Notwithstanding this position as set forth by the government of Antigua and Barbuda, the government has made a significant step in the direction of fulfilling, to the degree deemed necessary, the provisions of Article 4. The Broadcast Act and the Freedom of Information Act, currently being drafted by the Attorney General’s Chambers, addresses the dissemination of ideas based on racial superiority or hatred as raised in subparagraphs (a) and (b) of Article 4. It is the position of the government of Antigua and Barbuda that the provisions of the Constitution, and in particular Article 14(1), adequately address the issue raised in subparagraph (c) of Article 4 of the Convention.

40. The Government of Antigua and Barbuda, cognizant of the Committee’s Recommendation I of 24 February 1972, considering the demographic constitution of its populace, and mindful of the limited governmental resources available, deems the provisions of the Constitution of Antigua and Barbuda to adequately address Article 4 of the Convention to the degree necessary within Antigua and Barbuda. Additionally, the Government of Antigua and Barbuda anticipates that the forthcoming Broadcast and Freedom of Information Acts shall, in their final forms, adequately address the issues raised in Article 4(a) of the Convention.

41. In response to decision 3 (VII) adopted by the Committee on 4 May 1973, and mindful of the declaration made by the government of Antigua and Barbuda regarding Article 4, the full text of articles 3 and 14 of the Constitution is listed in Appendix I.

#### **Article 5**

42. Antigua and Barbuda takes very seriously the issue of human rights, and endeavours to maintain the highest international standards in this regard. To this end, the laws of Antigua and Barbuda provide protection, either implicitly or explicitly, for each provision of Article 5. Additionally, as previously noted, the Constitution prohibits both discrimination on the basis of

race and the enactment of any legislation which is racially prejudicial either itself or in its effect. While an exhaustive examination of each individual right as enumerated under Article 5 is beyond the scope of this report, it is sufficient to say that the government of Antigua and Barbuda affords to its citizens all of the rights and freedoms as set out in Article 5.

### Article 6

43. The government of Antigua and Barbuda has numerous legal and procedural mechanisms for providing effective protection and remedies against any acts of racial discrimination which violate a complainant's human rights and freedoms. As outlined in the preceding paragraphs, the primary mechanism for defending human rights and freedoms in general, and racial equality in particular, is the Antigua and Barbuda Constitution Act of 1981. The constitution guarantees to every citizen equality of opportunity and equality before the law regardless of race or ethnicity. Any legal, judicial, or administrative measure that is in any way discriminatory is accordingly unconstitutional and can be declared null and void to the extent of its discriminatory nature. Additional impartiality is provided for by the fact that the Supreme Court itself - the Eastern Caribbean Supreme Court - is itself a body comprised not only of Antiguan and Barbudans, but as indicated in section 4 of the first part of this report, of nationals of the seven OECS member states.

44. Should either party to a dispute addressed by the Eastern Caribbean Supreme Court choose to appeal a decision of that court, there exists a provision for the appeal to be taken to the Judicial Committee of the Privy Council, situated in London, England. The Privy Council offers another degree of objectivity and impartiality in any dispute, and further increases the likelihood that grievances of any sort, including those involving issues of racial and/or ethnic discrimination, will be addressed in a fair and impartial manner. To date, there have been no cases taken to the Privy Council that have concerned issues of racial or ethnic discrimination.

45. Supplementing the abovementioned judicial processes, there also exists, as noted in section six of part one of this report, another independent and impartial mechanism available to citizens of Antigua and Barbuda - that of the Ombudsman. The Ombudsman, under powers granted by the Ombudsman Act of 1994, maintains an office independent from those of the ruling party. The Ombudsman will hear any complaint against any government action or policy, and has at his disposal the staff and budget to ensure that any complaint of racial or ethnic prejudice or intolerance is adequately investigated. The Ombudsman reports directly to Parliament, providing annual reports and regular updates as to the status of his investigations and inquiries. Should the government of Antigua and Barbuda act or fail to act in a manner that might be construed as racially or ethnically prejudicial, either through the pursuit of a policy or program or through the failure to adequately pursue a policy or program, the Ombudsman's office is capable of investigating and publicly reporting on such events, and ultimately making recommendations as to how such an issue might be resolved. While concerns of racial and/or ethnic discrimination at the government level are virtually unheard of in Antigua and Barbuda, the office of the Ombudsman provides a relevant and viable mechanism for addressing such an issue - or indeed any issue of human rights violations within Antigua and Barbuda - should one arise.

## Article 7

### Education and teaching

46. Education policy in Antigua and Barbuda is determined and implemented by the Ministry of Education. Universal and free education is provided to the children and youth of Antigua and Barbuda from Kindergarten to Grade 12. Children as young as four and as old as twenty are currently enrolled in primary or secondary education, which, for children under sixteen, is compulsory.

47. The curriculum as taught in the primary and secondary schools of Antigua and Barbuda is comprehensive and wide-ranging. Awareness and tolerance of the many cultural and ethnic groups of the world is covered across the educational spectrum, and initiatives are underway to further customize curricula to the unique cultural paradigm of the region. In one case, a grant by CIDA - the Canadian International Development Agency - has allowed a consortium of twenty educators from ten Caribbean territories to discard the second-hand American textbooks on Home Economics and create a new text specifically tailored to the specific cultures of the region. Prominent in this text, which is now in its third revision, are activities and projects designed to encourage cross-cultural understandings and tolerance for alternative ethnic and religious groups. Students are encouraged to learn about the holidays and festivals of the region's different ethnic groups. The common theme across this book, and indeed the educational system of Antigua and Barbuda, is that the Caribbean is a "cultural mosaic" of various ethnic, religious and cultural groups that interact and coexist peacefully.

48. The curriculum of Antigua and Barbuda's primary and secondary schools is closely monitored by the Curriculum Development Office. This office, which works under the auspices of the Ministry of Education, ensures that the materials presented in the classrooms of Antigua and Barbuda adhere to acceptable standards, and that religious and ethnic tolerance and acceptance is encouraged across all elements of the educational system. Textbooks are screened by the Curriculum Development Office before they are placed into the school system, and those that contain questionable material are rejected. Educators are required to teach from Ministry-approved textbooks, and follow the curriculum as provided. There is no allowance for educators to present their personal racial or ethnic prejudices or biases as fact, and there are numerous disciplinary actions that can be taken against any educator who presents such prejudices or biases.

49. Many aspects of cultural tolerance and human rights have been incorporated into the syllabi of Antigua and Barbuda's school system. A printed copy of the Convention on the Rights of the Child has been distributed to all schools in Antigua and Barbuda for display and dissemination, while the Universal Declaration on Human Rights and the Constitution of Antigua and Barbuda is introduced to schoolchildren during the eighth grade. The music syllabus for all grades promotes awareness and tolerance of the various cultural music of the Caribbean region and the rest of the world. Additionally, students are made aware of government functions and the democratic system in Antigua and Barbuda, including the role of the Ombudsman. From an early age, students are introduced to the concept of tourism and how the economy of Antigua and Barbuda depends on tourism. In this regard, special attention is also given to the ethnically diverse nature of the tourists that visit Antigua and Barbuda. At the beginning of the 2000-2001 school year, a new programme that teaches the importance of health,

wellness and rights within the family has been introduced in several schools and has been gradually expanded to include other schools. It is the intention that such material be introduced in every school.

50. Antigua and Barbuda is a religious nation, with Christianity being the most prominent. The education system reflects the religious composition of its people, and accordingly daily prayers and regular assemblies are common. Nonetheless, the Ministry of Education and the Curriculum Development Office have taken great pains to ensure that those who follow religions other than that of the majority are adequately allowed for. In one example, followers of Jehovah's Witness are permitted to skip prayers, religious ceremonies, Independence Day celebrations, and more, often times being allowed to selectively participate in the activities as they (and their parents and/or guardians) see fit. In another example, male followers of Rastafarianism are permitted to retain their long dreadlocked hair without being deemed out of compliance with the universal school uniform and dress code policies that normally require close-cropped hair for males.

51. Educators at both the primary and secondary levels are required to possess adequate postsecondary certification in teaching. Additionally, new hires are provided with a period of orientation, so that local standards and curriculum expectations can be adequately communicated. Educators are expected to present their curricula in an unbiased and objective manner, and to maintain the Ministry of Education's policies on non-discrimination.

## **Culture**

52. Antigua and Barbuda's small and largely homogenous population has resulted in there being little need for specific anti-racism organizations or movements at the domestic level. Antigua's small size and limited infrastructure preclude the creation of UN associations or solidarity committees. The Government of Antigua and Barbuda recognise the 10th December as the United Nations' Human Rights Day.

53. While the government of Antigua and Barbuda enjoys within its borders a peaceful and harmonious relationship between the various ethnicities of its populace, it is still very much aware that there are many regions in the world where racial tensions and prejudices continue to fester. To this end, Antigua and Barbuda have enthusiastically supported many international actions designed to combat racial and ethnic prejudice and encourage world-wide acceptance of all peoples, regardless of race or ethnicity.

54. Regarding the issue of campaigns against racism and apartheid, the government of Antigua and Barbuda objected to the racist apartheid regime of South Africa in the strongest possible terms, enacting legislation that prohibited both importing from and exporting to the regime. As mentioned in the previous pages, the Government of Antigua and Barbuda remains committed to ensuring such government structures are never again given power or authority in any nation, and stands ready to exercise whatever economic and diplomatic force it can to ensure that such regimes are duly discouraged.

**Information**

55. The state media - print, television and radio - takes issues of human rights and equality very seriously. Regular coverage is given to international events, and domestic human rights issues are also addressed as they arise. Significantly, and as mentioned in the previous pages, the government of Antigua and Barbuda is preparing for debate, the Broadcast Act and the Freedom of Information Act - pieces of legislation designed to provide a suitable framework for acceptable broadcast media content. These Acts will contain prohibitions on programs or commentaries deemed to be of a prejudicial nature.

## Appendix I

The full text of articles 3 and 14 of the Antigua and Barbuda Constitution is as follows:

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

- (a) Life, liberty, security of the person, the enjoyment of property and the protection of the law;
- (b) Freedom of conscience, of expression (including freedom of the press) and of peaceful assembly and association; and
- (c) Protection for his family life, his personal privacy, the privacy of his home and other property and from deprivation of property without fair compensation.

The provisions of this Chapter shall have effect for the purpose of affording protection to the aforesaid rights and freedoms, subject to such limitations of that protection as are contained in those provisions, being limitations designed to ensure that the enjoyment of the said rights and freedoms by any individual does not prejudice the rights and freedoms of others or the public interest.

- (1) Subject to the provisions of subsections (4), (5) and (7) of this section, no law shall make any provision that is discriminatory either of itself or in its effect.
- (2) Subject to the provisions of subsections (6), (7) and (8) of this section, no person shall be treated in a discriminatory manner by any person acting by virtue of any law or in the performance of the functions of any public office of any public authority.
- (3) In this section, the expression “discriminatory” means affording different treatment to different persons attributable wholly or mainly to their respective descriptions by race, place of origin, political opinions or affiliations, colour, creed, or sex whereby persons of one such description are subjected to disabilities or restrictions to which persons of another such description are not made subject or are accorded to persons of another such description.
- (4) Subsection (1) of this section shall not apply to any law so far as the law makes provision:
  - (a) For the appropriation of public revenues or other public funds;
  - (b) With respect to persons who are not citizens; or
  - (c) Whereby persons of any such description as is mentioned in subsection (3) of this section may be subjected to any disability or restriction or may be accorded any privilege or advantage that, having regard to its nature and to special circumstances pertaining to those persons or two persons of any other such description, is reasonable justifiable in a democratic society.

(5) Nothing contained in any law shall be held to be inconsistent with or in contravention of subsection (1) of this section to the extent that it makes provision with respect to qualifications (not being qualifications specifically relating to race, place of origin, political opinions or affiliations, colour, creed or sex) for service as a public officer or as a member of a disciplined force or for the service of a local government authority or a body corporate established by any law for public purposes.

(6) Subsection (2) of this section shall not apply to anything that is expressly or by necessary implication authorised to be done by any such provision of law as is referred to in subsection (4) or (5) of this section.

(7) Nothing contained in or done under the authority of any law shall be held to be inconsistent with or in contravention of this section to the extent that the law in question makes provision whereby persons of any such description as is mentioned in subsection (3) of this section may be subjected to any restriction on the rights and freedoms guaranteed by sections 8, 10, 11, 12 and 13 of this Constitution, being such a restriction as is authorised by paragraph (a) or (b) of subsection (3) of section 8, subsection (2) of section 10, subsection (4) of section 11, subsection (4) of section 12 or subsection (2) of section 13, as the case may be.

(8) Nothing in subsection (2) of this section shall affect any discretion relating to the institution, conduct or discontinuance of civil or criminal proceedings in any court that is vested in any person by or under this Constitution or any other law.

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