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## **National report submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21\***

**Saint Kitts and Nevis**

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## **I. Introduction**

1. Even after the presentation of the first national report on its human rights record, St Kitts and Nevis' small and highly open, middle-income economy continued to face significant vulnerabilities to the world financial crisis and recession that led to reduction in income from remittances to the Federation, and contributed to the lacklustre conditions for foreign direct investment (FDI). Moreover, the economy was experiencing an additional challenge: an exceptionally high public sector debt-to-GDP ratio of almost 200% to GDP by 2013.

2. It was imperative for the Government to explore alternative fiscal policies, which it was able to accomplish with external assistance efforts. It designed a credible macroeconomic framework, and implemented stringent fiscal measures aimed at reducing the debt, creating conditions for sustained economic growth, higher standards of living and poverty alleviation. Maintaining an environment that is conducive to growth and development has long been a strategic priority for the Government of St Kitts and Nevis and is intricately linked with a longstanding tradition of taking care of the poor and vulnerable.

3. Efforts to revive the economy to a level of long-term sustainable growth that will improve the quality of life of citizens over time provided much impetus for the Government to exercise prudence in the management of public expenditure. Ensuring that the fiscal challenges evolved into opportunities for the greatest advantage presents a clear indication of the Government's commitment to safeguarding the social, cultural, political and economic rights of its people.

4. Indeed, the fiscal measures were intended to generate more resources for the social safety net initiatives and for pursuing projects and programmes of critical importance to the long-term development of the Federation. Further, the fundamental aim was to lift more people above the poverty threshold and give them the opportunity to make a greater contribution to the national development effort, create wealth for themselves and their families, and meaningfully pursue their various goals and aspirations. These basic rights are ones which the Government of St Kitts and Nevis is consistently working to afford to its growing citizenry.

## **II. Methodology and consultative process**

5. This report reflects the efforts and contributions from a wide section of society including government entities, inter alia, the Ministry of Foreign Affairs, Ministry of Health, Social Services, Community Development and Gender Affairs, Ministry of Education, Ministry of National Security, Ministry of Justice and Legal Affairs, The Office of the Ombudsman, Non-government Organisations (NGOs) including the Association for Persons with Disabilities, and civil society including the religious community.

6. It is important to note that prior to development of any national policies with respect to human rights, respective arms of the Government interacted with relevant stakeholders and the general public. For instance, the Ministry of Community Development, Culture and Gender Affairs with the continued partnership of UNICEF and UN Women engaged in National Consultations prior to drafting the National Social Protection Strategy. Subsequently, the general public was also afforded the opportunity to scrutinize said draft document. There was also broad consultation on the TVET Policy prior to its completion at the end of 2013.

7. The Annual National Consultation on the Economy provides another forum for civil society, NGOs, youth, the private and public sectors to dialogue with Government about live social and economic issues impacting on the yearly Budget.

### III. Developments since previous Universal Periodic Review

#### A. Expansion of the Government's commitment to human rights development

##### Social services

8. Even in a period of economic and financial slowdown the Government has remained steadfast in its commitment to the improvement of the quality of life of all citizens through the strengthening of the delivery of social programmes and projects which are focused towards family wellness, gender mainstreaming, full participation and involvement in national development, promotion of child rights and the enhancement of the quality of life. These initiatives continue to effectively address a number of challenges facing the most vulnerable in our society using preventative, intervention and rehabilitative measures.

##### Poverty reduction strategy

*Multi-Annual Indicative Programme 2011–2013 under the Accompanying Measures for Sugar Protocol Countries (AMSP)*

9. The 2011-2013 AMSP-MIP consolidated gains of the two previous periods: 2006-2009 and 2010-2013, assisting the Government to mitigate the effects of the then economic crisis in a post-sugar context and to expand on local programmes focused on poverty reduction, social protection, private sector development and employment creation.

*The National Social Protection Strategy and Plan of Action*

10. Poverty Reduction remains a core development issue for St. Kitts and Nevis. Thus, in 2013, the Government through the then Ministry of Social Services, Community Development, Culture and Gender Affairs and in collaboration with the Eastern Caribbean UNICEF Office and Caribbean UN Women Multi Country Office launched The National Social Protection Strategy and Plan of Action for the period 2013 – 2017.

11. Although initiatives to alleviate poverty were in existence years prior, facilitated by The Social Development Assistance Act of 1998 which provides the framework for the provision of social assistance in St. Kitts and Nevis; and although in excess of twenty-four (24) social assistance programmes existed in St. Kitts, with an almost equal number of similar programmes implemented in Nevis, these needed to be structured to ensure that public resources were directed to more efficiently and effectively incorporate the poor into the mainstream of economic development. In short, the Strategy is a critical component of national poverty reduction efforts that will form the basis for a sustainable, comprehensive and integrated Government Social Protection system.

12. It addresses the following constituents: strengthened social assistance; improved quality of education and training; affordable and accessible health care for all; and strengthened labour markets to ensure productivity and competitiveness; improved access to employment; and increased capacity of social development agencies.

13. The strategy encourages a review of current domestic legislation with a view to enabling the Government to fulfill its national and international commitments to social

protection as well as creating a legislative environment conducive to Social Protection Reform.

14. During 2013 preparatory work on the implementation of PHASE 1 of the National Social Protection Strategy continued. The Ministry conducted three (3) key activities. They were:

- the completion of the implementation work plan;
- the development of a Programme document for the Moulding, Empowering, Nurturing and Directing (MEND) Co-responsibility Mandates;
- the training of social assistance Officers in monitoring and evaluation techniques.

*MEND modeled after the “Chile Puente Programme” to alleviate poverty*

15. This initiative is a national adaptation of the “Chile Puente Programme”, a best practice model for holistic poverty alleviation. MEND signifies: Mould, Empower, Nurture and Direct Families in St. Kitts and Nevis. This programme will assist individual members as well families to reached greater functionality.

16. In 2014, the Government focused attention on the green economy as a means of facilitating sustained growth and development within the Federation while assisting in poverty reduction. It was deemed necessary to formulate policies to create enhanced equity in housing, land use, academic and skills training, access to clean water and energy, and health care.

17. Twenty-one (21) families participated in this pilot MEND Programme and were beneficiaries of a financial bursary and corresponding services to strengthen family togetherness. Extended services will also facilitate decision-making about finances, and identification and acquisition of skills relevant for the labour market.

18. In addition, families will receive financial and psychological support over a two-year period. The Programme is built on the following seven elements:

- *Identification* – Each family will acquire at least 3 basic forms of identification for its family members.
- *Health and Wellness* – Families will be required to take annual check ups, ensure that children are immunized and attend health informational sessions.
- *Education* – Families will be responsible for ensuring that children attend school regularly and attend school parent teacher conference meetings.
- *Family Dynamics* – Families will be required to set aside family time and participate in developmental workshops, for example, in areas such as health, budgeting, and parenting. It is expected that these activities will contribute to the positive emotional and social development of adults and children within families thereby building resilience and nurturing supportive relationships.
- *Housing* – The living conditions of homes will be assessed and a plan for improvement will be put in place.
- *Employment* – Adult family members will be encouraged to identify skills for the labour market and training programmes will be tailored to facilitate entrance to the labour market.
- *Income* – Budgeting will be a core activity for families. Families will learn to manage the financial benefit they receive under this Programme.

19. A fundamental component of MEND is the value of RESPONSIBILITY. Families will qualify for the financial benefit through a debit card if they meet the established conditions. Case workers are assigned to assist in better management of monies.

20. It is envisaged that at the end of two years, families would have improved in their decision making, acquired skills that will make them more employable. An assessment would then be conducted to verify areas of improvement with a view to graduating families from the Programme. By 2015, it is expected that the number of families will increase to 80 and that 140 families in 2016, and 200 in 2017 will be accommodate by the Programme.

#### *National Social Safety Net Strategy*

21. The development of the National Social Safety Net Strategy was designed following recommendations outlined in the 2009 Social Safety Net Assessment Report. Aimed at establishing clear eligibility criteria, a Central Beneficiary Registry, a monitoring and evaluation tool, it also serves to consolidate existing social programmes for efficient delivery of social services to citizens to enable them to live a decent life.

### **Juvenile care**

#### *Co-ed juvenile facility*

22. The construction of the New Horizons Co-ed Rehabilitation Centre which was completed in September 2012 is part of a comprehensive strategy to provide rehabilitative care to youths who have committed criminal offences and to assimilate them back into society.

23. The establishment of this juvenile rehabilitation facility ensures the separation of juveniles from adults in prisons in line with the process to improve the prison's overcrowding.

24. The Centre offers quality care and child development services to male and female residents. Such services include inter alia, counselling, legal services, academic, technical and vocational training and career development. Training courses in anger management and decision-making, for example, have also become vital components of the programmes to assist residents in developing good social skills and becoming productive citizens.

25. In the first quarter of 2012, staff of the Centre intensive training which prepared them well for the task of rehabilitation.

26. By the end of 2013, 51 teachers had completed training in the application of participatory methodologies to identify behavioral changes in children in school. Initiatives such as the training of Social Workers and Juvenile Court Officers as well as the development of a toolkit for early detection of behavioral changes and learning difficulties to be utilized by schools are ongoing.

### **Children**

#### *Review of the National Foster Care Programme*

27. As part of the Child Development Project of prior years, a review exercise of the National Foster Care Programme began with training for judiciary staff, probation officers and other relevant personnel, in an effort to enhance the life changes of children in the Federation, Staff in the Ministry of Community Development, particularly those responsible for Child Protection Services underwent intense training to equip officers with the necessary tools for excellent service delivery.

*National Child Protocol*

28. The Ministry of Social and Community Development, Culture and Gender Affairs completed the formulation of the National Child Protocol and Action Plan during 2012. This instrument serves in the prevention, reporting and management of child abuse, while the Action Plan will aid the development of a training and stakeholder outreach programme for the Protocol's implementation. This document offers guidance to child protection service providers in identifying child abuse, recognizing their responsibilities and ensuring the protection of children.

*Re-establishment of the Probation and Child Welfare Board*

29. In order to strengthen efforts to safeguard the rights and welfare of our young people, the Government supported the re-establishment of the Probation and Child Welfare Board in March 2012. Its membership comprises of educators, social workers, early childhood specialists, medical professionals, the security forces, the legal fraternity and the clergy.

**Education**

30. In 2013 an Assessment of the Barriers to access Early Childhood Education Services was undertaken with support from UNICEF. The assessment has been used to define strategies to ensure that the poorest and most vulnerable children are covered.

31. The White Paper on Education and Policy, completed in 2009 provides a blueprint for the development of the Education Sector over the period 2009–2019. In February, 2011, A White Paper Implementation and Monitoring Committee was established to compose a schedule for the implementation of the Paper's diverse plans and programmes.

*Technical and Vocational Education (TVET)*

32. The TVET Council was empowered and the National Skills Training programme was strengthened to provide high quality technical vocational training for students and youth outside of the school inclined to such training.

33. Under the guidance of the TVET Council, a comprehensive National Technical and Vocational Education and Training (TVET) Implementation Plan was developed to ensure improvements in the delivery of skills education and training in the Federation. The TVET Policy, sub-titled: "TVET For All: A Vehicle for Human and Sustainable Development and Lifelong Learning" is to be reviewed in 2018. However, the TVET Council can consider a mid-term review during 2016 which would enable adjustments as necessary to attain the prescribed goals.

34. The TVET Policy is designed to achieve the following objectives:

- (a) provide a collective vision and strategic direction for TVET;
- (b) provide a framework for the continued development and strengthening of TVET as a vehicle for sustainable development;
- (c) provide a shared understanding of TVET as an orienting principle in education at all levels; provide a rationale for resource allocation, programmes for labour market requirements and standards for assessment and certification;
- (d) guide the partnerships and networking necessary for TVET to contribute to the development and implementation of an agenda for sustainable development;
- (e) provide guidance for the development/upgrading of skills of learners and workers in places of education and work and for their careers;

- (f) guide the management and operations of a comprehensive TVET system;
- (g) guide the achievement of synergies among providers, institutions, programmes and stakeholders; improve connections between this and other Policy areas for sustainable development.

*The St Kitts-Nevis National Education Foundation*

35. The St Kitts-Nevis National Education Foundation, established in 2015 has as its mission “through the unique strength of its partnership with educators, advances student achievement by investing in public education that will prepare the nation’s children to learn and thrive in a rapidly changing environment”. From monetary contributions from members of the public, disadvantaged students can access a variety of scholarship programmes, grants and awards.

*Child Friendly Schools*

36. In 2012, four primary schools in Nevis had the opportunity to pilot the Child Friendly Schools initiative developed by UNICEF. This programme aimed at improving school standards and enhancing the quality of education for students, through the promotion of three main principles- child centeredness, democratic participation, and inclusiveness, has now been piloted in 14 public primary schools in St. Kitts and Nevis.

37. This model allows all stakeholders in education including parents and children to have a voice in the form and content of the subject being taught as well as in the decision-making processes.

38. The CFS initiative encourages the use of positive behavior management, ensuring systems that protect children are in place and operational, reintroducing a skills-based health and family life curriculum, ‘un-cultivating’ inclusive and learning-ready classrooms, promoting student governance, encouraging parental as well as community involvement in the schools.

*Single sex classrooms*

39. St. Kitts and Nevis introduced single-sex education on an experimental basis for students from Grades Three to Six in three of the largest primary schools in September 2011. This decision was taken subsequent to an emerging trend which statistical data recognizes as a gender imbalance at the University of the West Indies (UWI), which has been traced to the primary schools. Based on the Ministry’s review and supported by empirical evidence, it was suggested that young boys in Grades Three to Six perform better, academically, in all-male learning environments.

40. In October 2013, the Ministry of Education hosted a series of workshops geared towards the empowerment of male students. These sessions focused on strategies to increase student engagement in school and class, academic achievement of students, the fostering of self-esteem and the development of pro-social behaviour among students.

*A Ganar Alliance Programme*

41. The United States Agency for International Development (USAID) signed a grant with the Partners of the Americas (POA) to implement the A Ganar Alliance programme. With the expertise and financial resources of others, and the engagement of the private sector youth gain access to opportunities. The programme trains NGOs in the A Ganar curriculum in order to help them achieve their respective missions.

42. The introduction of the A Ganar methodology in the St. Kitts and Nevis school system in 2012 is the first of its kind at this level in the region. Between January to

September 2012, a total of 120 youth were trained, with the first batch graduating on September 29, 2012. They comprised youth in 4th Form (14-16 yrs old) from five secondary schools: Basseterre High School, Washington Archibald High School, Verchild's High School, Cayon High School, and Charles E Mills Secondary School. Over its three year life span, approximately 300 students benefited.

43. The programme offers the following benefits:

(a) provides sports-based economic empowerment and life skills training to youth in St. Kitts and Nevis;

(b) improves the capacity of partner institutions to implement a focused sport-for development model replicable and easily expanded to address areas of greatest need including youth employment, crime prevention, leadership development, educational supplement, and the promotion of healthy life-skills and life choices;

(c) strengthens an alumni support network and support safe spaces for youth;

(d) develops a network of organizations capable and committed to utilizing sport for youth development.

#### **Information and Communications Technology (ICT)**

44. In line with Government's commitment to provide the requisite tools for the development of 21st Century skills among its people. In 2013, the Government through the Department of Technology completed the One-2-One Laptop Project which provided 7,000 students, and by extension their families, with access to virtual learning.

45. Through the Department of Information Technology and Telecommunication, the Government embarked in 2013 on a three phase plan to deploy a comprehensive Government Wide Area Network (GWAN) which will include a Government Communications Network, an Education Network, and a Police Communications Network.

46. The Education Network, facilitated through the Eastern Caribbean Telecommunications Authority (ECTEL) with financing from the World Bank, provides the necessary infrastructure to connect all public schools to a managed education network via 24 broadband Internet. Every classroom will have wireless communication with connectivity provided to administrative staff, as well as some outdoor common areas. The network will also host the recently completed Education Management Information System (EMIS) and support interschool web conferencing, team teaching solutions and other internet supported applications.

#### **Youth**

47. In December 2012, to stimulate growth and to create jobs for the youth, the Government launched The Skills Training and Entrepreneurial Programme (STEP). This project was designed to deliver agriculture and entrepreneurial skills to unemployed young people to assist them in acquiring skills that would be in demand in the new economy.

48. Coordinated jointly by the Ministry of Social and Community Development, the Ministry of Education and Information, and the STEP Foundation which is comprised of a number of leaders in the public and private sectors, this initiative benefited approximately thirty-six (36) young men with training in hydroponic agriculture. Consequently, one such venture supplied produce such as tomatoes, lettuce and sweet peppers to some of the country's largest supermarkets shelves and 33 local.

49. Through funding from the Sugar Investment Diversification Fund (SIDF), the People Empowerment Programme (PEP) was developed to provide unemployed citizens,



particularly young people, an opportunity to learn a skill to access short term employment opportunities in preparation for long-term jobs.

50. PEP operated under six (6) sub-projects; the Engaging Qualified Interns Project (EQUIP), the National Infrastructure Improvement Project (NIIP), the Agro-Enterprise Training and Management (ATM), the Women in Construction Trades (WICT), the Skills Training and the Entrepreneurial Development (STED) and the Women In Small Enterprise (WISE) initiatives.

51. As a result of the programme, some individuals have been able to find permanent job placements.

### **Elderly**

52. The Government approved an increase in Social Security Pensions with effect from July 1, 2014; specifically, minimum age pension increased by 7.5% from \$400 per month to \$430 per month and non-contributory assistance pension increased by 2% to \$255 per month. Moreover, all other pensions awarded in any year before 2010 were increased by 6%; pensions awarded in 2010, 2011 or 2012 increased by 2%; pensions awarded in 2013 increased by 1%.

53. Persons 62 years and older were entitled to fee waivers for health care and pharmaceuticals at public health care facilities.

54. 2015 marks the 14<sup>th</sup> year anniversary of the flagship Home Care Programme of the Department of Social Services where trained caregivers visit and tend to indigent elderly citizens in their own residences.

55. During the month of October each year, the Ministry celebrates with the elderly, and organizes a variety of activities to engage older persons, including visits to schools, the annual Month of Elderly March and the Senior Citizens' Dinner and Ball. The month is also used to appeal to family members and other community members to take care of the elderly.

56. The Government continues to subsidize a number of social assistance programmes for the elderly including food, housing and medical benefits.

### **Persons with disabilities**

57. Since its first UPR review, the Government of St Kitts and Nevis has held consultations with a large cross section of the society including persons with disabilities to assess the needs of this group of individuals, usually considered as a marginalized group.

58. The aim was to more fully engage persons with disabilities and their representatives to discuss the international Convention on the Rights of Persons with Disabilities.

59. In October 2014, the public became more aware about persons with disabilities and the local Association for Persons with Disabilities during a round table discussion aired live on a local radio and television station. Several issues were raised and many community members and joined the discussion by text messages, facebook and other social media.

### **Health**

60. The Government continues its thrust to improved access to reliable and affordable health services.

61. The upgrading of the National Registration System to include records of births and deaths began in 2012.

62. In 2013, the preparatory work to facilitate the implementation of a National Health Insurance Scheme was advanced following the completion of the National Health Accounts (NHA) initiative, undertaken in collaboration with the United States Agency for International Development (USAID) and the University of the West Indies (UWI).

63. To ensure that every national of St. Kitts and Nevis is provided with a cost-effective, comprehensive and sustainable health care insurance scheme to reduce the financial burden that can accompany major illnesses, estimates collected continue to inform evidence-based decision-making.

64. The national health care scheme now covers medical services including mammograms, air ambulance service, breast cancer treatment, dental and eye care, and elderly care in order to improve the overall health and wellbeing of our citizens.

### **Housing**

65. In June 2011, the Government introduced the Building Materials Incentive Programme (BMIP). This offered reduced taxes applicable to building materials valued up to \$400,000 in the construction of residences for first time homeowners. Scheduled to end in December 2012, the Government extended the programme into the first quarter of 2013, to support the Construction Sector and to assist in alleviating the increasing demand for housing.

66. In January 2012, the SIDF launched the Fund for the Realization of Economic Empowerment through Subsidized Housing (FREESH) to encourage citizens to invest in residential housing. SIDF also established the Equity Assistance Fund (EAF) to allow applicants who qualified for funding under FREESH to make the required input.

67. The initiative was revised to be more attractive to prospective homeowners. The maximum loan amount was raised and the fixed interest rate was lowered. New terms and conditions took effect in July 2012.

68. In 2013, the FREESH program was again amended, broadening the eligibility requirements to include applicants with ongoing construction whereas previously only those undertaking new/break ground construction qualified for funding.

69. Additional efforts to empower our citizens through land and home ownership the Government in June 2014, approved the distribution of five hundred (500) additional residential lots ranging from 4,000 square feet to 15,000 square feet in several areas around the island of St. Kitts.

70. These options for land purchase were so designed to allow access to persons on the lowest economic strata and to ensure the upward mobility of citizens through land and home ownership.

71. In July 2013, the SIDF again partnered with our indigenous financial institutions in the Federation through the provision of HELP; that is the Housing Enhancement Loan Programme. This new initiative provides a maximum of \$100,000 at a fixed interest rate of 5% over the term of the loan to citizens who occupy the home on which the work will be executed to facilitate renovations, remodeling or extension of the structure.

72. During the 2014 Budget Address, the then Prime Minister announced it was embarking on a new housing initiative dubbed, Habitat Independence 30, which aimed to have w three hundred (300) homes powered by solar panels.

### **Domestic violence**

73. St Kitts and Nevis has a legal obligation to protect women and girls from domestic violence and sexual violence including sexual harassment. The State is required to establish

the necessary legal and administrative mechanisms to adequately protect women and girls from forms of violence and to provide them with access to just and effective remedies. The State sustains efforts such as continuous training of law enforcement personnel and judicial officers, sensitizing the media and educating the public about domestic violence.

74. A Special Victims Unit was created within the Royal Saint Christopher and Nevis Police Force (RSCNPF) on 1 April, 2012, to deal with issues including domestic violence and child abuse, among others. On the island of Nevis, there are four police officers from the Special Victims Unit, which is linked to the Department of Social Services. According to reports, with the establishment of the Special Victims Unit, in the case of rape, reporting to authorities has "increased significantly".

75. The Government offers counselling to victims of abuse and trains police, nurses, guidance counsellors and other government employees on domestic and gender violence.

76. The Department of Gender Affairs in collaboration with the Police the government carried out public campaigns against sexual violence, through churches and workplaces, on radio, and amongst civil society.

77. The Department of Gender Affairs has made available three general hotline numbers for persons seeking assistance for themselves or others with respect to domestic violence.

#### **Law and order**

78. The need for thorough investigative skills and improved crime detection and conviction rates has led the Government to introduce a Homicide Unit within the Police Force.

79. The use of Closed Circuit Television (CCTV) was expanded and deployed in several strategic areas within the Federation, to further strengthen efforts to detect crime.

80. In 2013–2014, officers were placed at certain schools to curb gang recruitment and to deter incidences of school violence.

81. In 2013, plans were afoot to establish an anti-robbery team, firearms tracking investigation unit and arson investigation unit, all to buttress the crime reduction plan.

82. The Firearms Investigation Unit received assistance from the Caribbean Basin Security Initiative for recovering an increasing number of weapons from the streets.

#### **Decent work**

83. During 2012 the Labour Department began implementing all components of the International Labour Organization's "Decent Work Agenda" which is a global development agenda subscribed to by the OECS sub-region and the wider CARICOM region.

84. The Labour Department in collaboration with the ILO and local stakeholders is ensuring that success is achieved in a number of areas including reviewing and updating labour legislation, strengthening labour market information systems, promoting inclusive workplace policies on HIV/AIDS and non-communicable diseases and increasing dialogue among government, employers and workers on national and regional social and economic issues.

#### *Increase in minimum wage*

85. Following a National Consultation with key stakeholders in August 2014 and a 27-person National Advisory Committee Report on Minimum Wage, the Government of St

Kitts and Nevis implemented a 12.5% increase in the minimum wage (from \$8 to \$9 per hour or from \$320 to \$360 per week) with effect from November 1, 2014.

## **B. Legislative measures**

### **Child Justice Act 2013**

86. The Child Justice Act 2013 replaced the Juvenile Act. The Child Justice Act has raised the legal age for criminal responsibility from eight to twelve. An excerpt is shared below:

#### *Criminal responsibility*

(a) It shall be presumed that a child under the age of twelve years is not capable of or guilty of committing a criminal offence.

(b) Pursuant to subsection 4 (3), a person who is at least ten years old and under the age of twelve years shall not be criminally responsible for an act or omission unless it is proved that at the time of doing the act or making the omission, he or she had the capacity to know that he or she ought not to do the act or make the omission.

87. The Child Justice Act 2013 also ensured the separation of juveniles in conflict with the law from adult inmates.

88. Through the Child Justice Act 2013, the criminal system was modernized and updated to increase penalties for cases of sexual abuse of minors.

89. Said Act also amended its predecessor the Juvenile Act to reach the international standards by changing the definition of juveniles to ensure that all persons under 18 years old are protected.

### **Children (Care & Adoption) Act 2013**

90. The Government through the Care and Adoption Act 2013 adopted new child protection legislation to comply with international standards.

91. Having reviewed its legislation with respect to the Convention on the Rights of the Child (CRC), said Act, together with the following enabled the Government to bring its body of domestic law relating to children in line with the Convention's principles and provisions:

- Repeal of Juvenile Act; now has Child Justice Act 2013;
- Children (Care & Adoption Act) – new 2013;
- Maintenance of Children Act – revised 2012;
- Guardianship Custody & Access to Children Act 2012;
- Status of Children Act – revised 2013;
- Amendment to the Probation & Child Welfare Act 2013;
- Domestic Violence 2014.

### **Domestic Violence Act 2014**

92. The Domestic Violence Act 2014 enabled the Government through the Department of Gender Affairs to heighten awareness relating to teenage pregnancy, sexual education and violence against women and children.

93. This legislation against child abuse, domestic violence classifies sexual violence, rape and incest as serious offences and establish appropriate penalties for the perpetrators, including relatives of the victim.

94. The Domestic Violence Act 2014 further enabled the Government to adopt policies and legislation to combat discrimination and violence against women and children, particularly domestic and sexual violence.

#### **The Proceeds of Crime (Amendment) Act, 2011**

95. Amends the Criminal Law Amendment Act Cap. 4.05 by inserting immediately after section 16 a new section 17 entitle "Prohibition of Entry of Persons Under Eighteen Years" which prohibits the entry of minors into nightclubs, bars, casinos or any other place of adult entertainment.

96. The Interception of Communications Act, 2011- The Interception of Communications Bill 2011 is designed to strengthen the legislative framework of St Kitts and Nevis to combat crime. The Bill provides for the "lawful and legal" interception of all telecommunications networks including telephones and internet transmissions, and telegraphy and mail handling systems.

#### **The Equal Pay Act 2012**

97. This Act defines equal pay as a rate or scale of remuneration for work in which there is no element of differentiation between male and female employees.

98. It ensures equal pay for men and women in the workplace and makes it an offence for an employer or his or her agent not to comply with the law.

99. Moreover, the Act makes a provision for the removal and prevention of discrimination based on the gender of the employee in paid employment, and to provide for related or incidental matters.

100. It empowers a court to order the payment of arrears of remuneration against an employer who is convicted of such an offence.

#### **The Offences Against the Person (Amendment) Act, 2012**

101. Under the abovenamed Act, rape is recognized as a criminal act, liable to penalties under the law. The maximum penalty for rape is life imprisonment.

102. Apart from the criminal law legislation addressing the issue of abuse against children (including abuse of a sexual nature) new Child Protection legislation was passed to provide an additional layer of protection that was not previously available to children who were being physically and sexually abused.

103. This new Act, was patterned on the model legislation drafted under the OECS Family Law Reform Project. It establishes a comprehensive scheme for all the critical stages of a child protection case, including legal provisions to address reporting and investigation of cases; devising plans of care; seeking legal redress by way of a range of possible orders and providing a selection of helpful interventions. This new law is a civil remedy that focuses on the protection of child victims, as opposed to the criminal law which focuses on the perpetrator's unlawful conduct.

## **C. Promotion of human rights**

### **Youth for Human Rights Awareness Project**

104. In November 2014, with financial and other support from UNESCO, the youth in the Federation launched a Youth for Human Rights Awareness Project in St Kitts and Nevis. The project seeks to create awareness among the youths concerning the importance of their rights as humans through a series of public relations activities as well as workshops, lectures and seminars. The sensitization will support the youths in their development to become more cognizant of their Human rights.

105. One of the main outcomes of the local Youth for Human Rights Awareness Project is to establish a Federal Youth Human Rights Club. Further, the project seeks to promote justice for those whose rights have been violated by advocating for them at court and through conflict mediation.

### **Youth for Human Rights International (YHRI) Project**

106. St. Kitts and Nevis educators participated in a program March 4–5, 2015 that launched a joint UNESCO and Youth for Human Rights International (YHRI) project to implement human rights education throughout St. Kitts and Nevis.

107. The workshops trained teachers from both islands to present the Youth for Human Rights curriculum to their students. They participated in the lessons, viewed video presentations on the articles of the UN Universal Declaration of Human Rights and completed practical assignments covered in the Youth for Human Rights educational program.

## **IV. Challenges and constraints**

108. Following the first its first UPR Review, St Kitts and Nevis, hit hard by the global crisis made some extremely hard but necessary decisions to stabilize the debt situation and to put its fiscal situation on a sustainable path.

109. The Government invited the International Monetary Fund (IMF) to support St Kitts and Nevis' own home grown economic recovery programme. This programme came with a Stand-By Arrangement (SBA) to the Government in support of the necessary structural reforms.

110. The Government in collaboration with the IMF adopted some Prior Actions which included the announcement of a debt restructuring and the establishment of a framework to monitor expenditure arrears.

111. The next category of actions called Fiscal and Public Sector Reforms sought to strengthen public financial management through Civil Service and Public Enterprise Reforms and other public financial management activities such as, but not limited to, the drafting of a Procurement Act and the establishment of a medium term expenditure framework.

112. Under Financial Sector Reforms, the third category, the requirement was to ensure financial sector stability and consisted mainly of the stress testing of financial institutions. Under the final category, which concentrated on the establishment of medium term benchmarks, efforts were geared towards the development of a medium term debt management strategy and pension reform.

113. It is evident that the measures taken to reduce the debt and to abide by the restrictions under the IMF presented multiple challenges, though not insurmountable.

## **V. Conclusion**

114. **The Government of St Kitts and Nevis places great value on human rights and takes seriously its international commitments in this phenomenon.**

115. **The Government will continue to reach out to its international partners including the Office of the High Commissioner on Human Rights to seek valuable assistance to enable it to meet its obligations to UN Treaty Bodies and to implement the recommendations received under the first and subsequent cycles of the UPR.**

116. **St Kitts and Nevis welcomes the UPR process as a means of improving its own human rights efforts and again calls upon third states and entities to support national initiatives and programmes to promote and protect human rights both of all.**

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