

08/06/11 PM

**St Kitts and Nevis
Statement to be delivered at the seventeenth session of the Human
Rights Council
Geneva
Universal Periodic Review
8th June 2011**

Introduction

1. St Kitts and Nevis' participation in, and cooperation with the Universal Periodic Review Process (UPR) has been deliberate, and is indicative of our high regard for human rights, fundamental to our progress. This exercise has been welcomed by our State since it has offered opportunities for thorough introspection and candid deliberation regarding the status of human rights on the ground.
2. We are ever mindful of the tight-rope that our Government must walk as it seeks to balance the rights of individuals against the pressing imperatives of the State. The UPR has provided insight on how the Government through its institutions can continue to enhance its human rights mechanisms for the benefit of all its citizens.



3. The Federation has given careful consideration to the recommendations proposed during the interactive dialogue. While some recommendations brought to the fore the challenges that St Kitts and Nevis had previously identified and was already in the process of addressing, others highlighted additional ideas for advancing the promotion and protection of human rights for all, including marginalized groups such as the poor, women, children, the elderly and persons with disabilities.
4. The delegation will now elaborate on some of the recommendations that were deferred.

Ratification of human rights instruments

5. St Kitts and Nevis has approached the consideration of recommendations in a realistic manner, committing only to those actions that are within its ability and competency to implement and maintain. St. Kitts and Nevis could not commit, in the short term, to signing and ratifying new treaties without undertaking a



meticulous assessment of the resources essential to fulfilling its obligations under same.

6. The work on this aspect of the human rights framework has already commenced. As a part of this process the Special Committee on Conventions and Treaties will consider these matters and make recommendations to the Cabinet.
7. Notwithstanding that St. Kitts and Nevis is not yet a Party to all of the instruments, it continues to adopt best practices, and remains committed to the ideals of the Conventions.

Creation of a National Human Rights Institution

8. A National Human Rights Institution would make a significant contribution to improving the coordination on human rights policies between Government and stakeholders. We consider that such an entity would best serve the populace if it is independent of the Government as based on the Paris Principles.
9. St Kitts and Nevis will cooperate with non-governmental organisations and or individuals that may be disposed to



establishing such national monitoring mechanisms for further promotion and protection of human rights.

10. In the meantime, the Government will continue to support the work and Office of the Ombudsman as it continues to provide an avenue whereby citizens may have their grievances against Government institutions and services heard and resolved.

Invitation to Special Procedures

11. While St Kitts and Nevis understands and respects the work of Special Procedures, a vital arm of the HRC, it cannot issue a standing invitation at this time. However, the Government is willing to address all concerns on a case by case basis.

Rights of Women and Children



12. The Federation will seek to strengthen those entities responsible for the promotion of the rights of women and children by adopting practical advances in these areas. Through various pieces of legislation, the Departments of Gender Affairs and Labour have sought to set appropriate standards for the treatment of women and continue to ensure that the laws relating to the promotion of their protection are fully implemented. The Department of Probation and Child Protection Services is one of the government's principal arms for ensuring that the rights of children are safeguarded, especially with respect to those minors in need of care and protection, those in conflict with the law, as well as matters of foster care, adoption and related issues.

13. The Offences against the Person's Act criminalizes acts of rape and sexual abuse. The Counseling Department in the Ministry of Health, Social and Community Services and Gender Affairs provides support and counseling for victims of crime.



Discrimination with respect to sexual orientation

14. St. Kitts and Nevis maintains that Chapter II of its Constitution prohibits discrimination against any person on the grounds of race, tribe, place of origin, political opinions, colour, creed or sex, and, as such, any person who is of the view that his or her rights have been violated could, at any time, seek redress before the Court. Moreover, there are no challenges to any existing legislation before our courts on the grounds of sexual discrimination. Should any legislation be challenged on such grounds, and if held to be unconstitutional by the Court, the Government would have to be guided by such a ruling.

15. The Government regards seriously its commitment to protect all members of society from discrimination regardless of sexual orientation.



22. When we are confronted by the titans of hurricanes and droughts, financial retrenchment, global warming and crime our best intentions at times may appear inadequate. It is evident that St Kitts and Nevis cannot go the distance alone and would require international support and technical assistance from Office of the High Commissioner on Human Rights, other international institutions and Member States of the United Nations to establish and sustain certain mechanisms required to fulfill some of the recommendations. We therefore once again call upon the international community to work with us and other developing countries in this regard.

23. St. Kitts and Nevis shares the view that a robust involvement of civil society in the follow-up to the Universal Periodic Review should provide a springboard for the crafting of a vibrant



for the follow-up process to the universal periodic review. The delegation commends the work of the troika of Gabon, Kyrgyzstan and the United Kingdom, which presented a fairly accurate report of St Kitts and Nevis' Review and of the recommendations proposed by delegations.

27. Finally, the delegation of St Kitts and Nevis thanks the President of the Council for his professionalism and for the able manner in which this session is being conducted. St Kitts and Nevis looks forward to working with all stakeholders during the implementation and follow-up phase and to its second UPR Review.

