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Universal Periodic Review
(19th session, May –June 2014)
Contribution of UNESCO to Compilation of UN information
(to Part I. A. and to Part III - F, J, K, and P)

Dominica

I. BACKGROUND AND FRAMEWORK

A. Scope of international obligations: Human rights treaties which fall within the competence of UNESCO and international instruments adopted by UNESCO

I.1. Table:

<i>Title</i>	<i>Date of ratification, accession or succession</i>	<i>Declarations /reservations</i>	<i>Recognition of specific competences of treaty bodies</i>	<i>Reference to the rights within UNESCO's fields of competence</i>
Convention against Discrimination in Education (1960)	Notification of succession 14/03/1983	<i>Reservations to this Convention shall not be permitted</i>		Right to education
Convention on Technical and Vocational Education. (1989)	Not state party to this Convention			Right to education
Convention concerning the Protection of the World Cultural and Natural Heritage (1972)	Ratification 04/04/1995			Right to take part in cultural life

Convention for the Safeguarding of the Intangible Cultural Heritage (2003)	Ratification 05/09/2005			Right to take part in cultural life
Convention on the Protection and Promotion of the Diversity of Cultural Expressions (2005)				Right to take part in cultural life

II. Input to Part III. Implementation of international human rights obligations, taking into account applicable international humanitarian law to items F, J, K, and P

Right to education

Constitutional Framework:

2. The Constitution of the Commonwealth of Dominica of 1978, as last amended in 1984, does not enshrine the right to education. However, Article 9 grants the protection of freedom of conscience and states that "3. Every religious community shall be entitled, at its own expense, to establish and maintain places of education and to manage any place of education which it maintains; and no such community shall be prevented from providing religious instruction for persons of that community in the course of any education provided by that community whether or not it is in receipt of a government subsidy or other form of financial assistance designed to meet in whole or in part the cost of such course of education." With regard to the principle of non-discrimination,

3. Besides, Article 13 states that "1. [...] no law shall make any provision that is discriminatory either of itself or in its effect. 2. [...] no person shall be treated in a discriminatory manner by any person or authority".

Legislative Framework:

4. The basic legislative framework for education in Dominica is made up of:

- The 1997 **Education Act No. 11**¹. It was amended by the 2002 Education (Amendment) Act No. 6² and the 2008 Education (Amendment) Act No. 10³.
- The 2003 **Education (Early Childhood Education) Regulation No. 39**⁴.
- The 2005 **Education (Council on Early Childhood Education) Order No. 14**⁵.
- The 2002 **Dominica State College Act No. 4**⁶.

¹ <http://www.dominica.gov.dm/laws/1997/act11-1997.pdf> (Accessed 06/06/13)

² <http://www.dominica.gov.dm/laws/2002/act6-2002.pdf> (Accessed 06/06/13)

³ <http://www.dominica.gov.dm/laws/2008/act10-2008.pdf> (Accessed 06/06/13)

⁴ <http://www.dominica.gov.dm/laws/2003/sro39-2003.pdf> (Accessed 06/06/13)

⁵ <http://www.dominica.gov.dm/laws/2005/sro14-2005.pdf> (Accessed 06/06/13)

- The 1981 **Education Trust Fund Act No. 17**⁷.

Policy Framework:

5. In December 2000, the **Pillars for Partnership and Progress (PPP) for the OCES Education Reform Strategy: 2010**⁸ was launched. This document sets the **main strategy areas** in the education reform (harmonizing the education system in the OECS, addressing the use of information and communications technology, reforming early childhood education, reforming the financing of education, etc.) and it provides for new imperatives and conditions for the decade.

- **ICT in Education**

6. Dominica launched in 2004 the **Strategy for Implementing the National ICT in Education Policy in the Commonwealth of Dominica from 2004 to 2009**⁹. To implement education reform in all of its forms, ICT is considered to be one of the pillars upon which quality education for all can indeed become a reality, because of its unique capacity for bringing the world to even the most remote and disadvantaged of communities. However, there is a multitude of issues to be addressed in successfully integrating ICT into the education system because bad pedagogy implemented on a computer may have its harmful effects multiplied many fold by the power of the technology. Moreover, the introduction and sustainability of ICT in the education system can be very expensive, both in economic and human terms. This document presents a strategic framework for implementing ICT in the education system of the Commonwealth of Dominica, borrowing generously from the OECS¹⁰ Education Reform Unit (OERU)'s Model Strategic Plan document, but also builds on the strategies for ICT presented in the Pillars for Partnership and Progress (PPP), as well as regional and international ICT implementation strategies.

- **Quality of Education**

7. On April 2011, the Ministry of Education and Human Resource Development held its first ever **National Principals of Excellence Award ceremony** on Wednesday at the Arawak House of Culture. The purpose of the National Principals Award ceremony was the opportunity to identify excellence within the education system and recognize that some children have given the best of themselves each and every day in primary and secondary schools. Through this event, the Ministry of Education and Human Resource Development is focusing on quality, which is consistent with the board vision of the ministry, the provision of high quality education for all.¹¹

Cooperation:

⁶ <http://www.dominica.gov.dm/laws/2002/act4-2002.pdf> (Accessed 06/06/13)

⁷ <http://www.dominica.gov.dm/laws/chapters/chap28-02.pdf> (Accessed 06/06/13)

⁸ http://www.oas.org/udse/3ministerial/contenidos/informacion_apoyo/ingles/pillars.doc (Accessed 06/06/13)

⁹ <http://planipolis.iiep.unesco.org/upload/Dominica/Dominica-Strategy-Implementing-National-ICT-Policy.pdf>

¹⁰ Organization of Eastern Caribbean States

¹¹ <http://www.gis.dominica.gov.dm/news/apr2011/mofrtip.php> (21 April 2011)

8. Dominica is party to 1960 UNESCO Convention against Discrimination in Education (CADE) since 1983. However, Dominica did not report to UNESCO on the measures taken for its implementation within the framework of the:

- Sixth Consultation of Member States (covering the period 1994-1999).
- Seventh Consultation of Member States (covering the period 2000-2005).
- Eighth Consultation of Member States (covering the period 2006-2011).

9. Dominica did not report within the framework of the fourth consultation of Member States the measures taken for the implementation of the 1974 UNESCO Recommendation concerning Education for International Understanding, Co-operation and Peace and Education relating to Human Rights and Fundamental Freedoms (covering the period 2005-2008). Dominica has not yet reported within the framework of the Fifth Consultation of Member States the measures taken for the implementation of the 1974 Recommendation (covering the period 2009-2012).

10. Dominica reported within the framework of the Second Consultation (2011) on the measures taken for the implementation of the 1976 Recommendation on the Development of Adult Education. However, it did not report for the First Consultation (1993).

11. Dominica is not party to 1989 UNESCO Convention on Technical and Vocational Education.

Cultural rights

Freedom of creative activity, artistic freedoms, right to conduct cultural practices – cultural heritage practice

Institutional framework:

12. The Cultural Division under the Ministry of Culture, Youth and Sports has the responsibility for the preservation and promotion of Dominica's cultural heritage and all its various expressions. It also provides support to Dominica's cultural industries' sector; encourages cultural exchange with other countries, contributes to poverty alleviation through arts and culture and manages and maintains Dominica's arts centres.

Policy Measures:

13. The National Culture Policy of Dominica 2007 is regarded as a framework within which development programmes are conceived and implemented. The National Culture Policy was developed, expanded and updated using the format of the Jamaica policy. However the current policy is extremely broad and far reaching. There is a need to determine priorities and develop a realistic strategic plan for its implementation taking into consideration the available resources, as well as the linkages between the Cultural Division and other Government Departments and Ministries, NGOs and private sector individuals and groups.

Freedom of opinion and expression

Constitutional and Legislative Framework:

14. Freedom of expression is protected under Article 10 of the Constitution of the Commonwealth of Dominica (1978).

15. Defamation is a criminal offence under the Libel and Slander Act (1876, amended in 1979), punishable by a fine or prison term of up to three years.¹² Defamation by the press is regulated in the Seditious and Undesirable Publications Act (1968), which carries punishment of a fine up to EC\$ 5,000 (approximately US\$ 1,800) and imprisonment of up to six months.¹³

16. A freedom of information law does not currently exist in the country.

Media Self-Regulation:

17. Media self-regulatory mechanisms are non-existent in Dominica.

Safety of Journalists:

18. UNESCO did not record any murder of journalists in Dominica between 2008 and 2012. Journalists work in a safe environment.

III. RECOMMENDATIONS

Right to education

19. Dominica should be encouraged to submit state reports for the periodic consultations of UNESCO's education related standard-setting instruments.

20. Dominica could be encouraged to continue its efforts to promote and protect the full enjoyment of the right to education and make further efforts to make access to education easier for all.

21. Dominica could be encouraged to continue to promote quality education for all by allocating adequate resources and by reinforcing teachers' training.

22. Dominica could be encouraged to intensify its efforts to reduce discrimination based on gender and on sexual orientation and to consider organizing awareness-raising activities and gender-sensitive programmes.

¹² <http://www.dominica.gov.dm/laws/chapters/chap7-04.pdf>

¹³ <http://www.dominica.gov.dm/laws/chapters/chap10-03.pdf>

Cultural rights

23. Dominica should be encouraged to better implement the culture conventions and to ratify the 2005 Convention on the Protection and Promotion of the Diversity of Cultural Expressions.

Freedom of scientific research

24. With regard to contribution of science and technology to development Dominica is encouraged to report to UNESCO within the framework of the on-going consultations with Member States on the monitoring of the implementation and a possible revision of the 1974 Recommendation on the Status of Scientific Researchers, in particular on the measures undertaken in the country to implement such principles of the Recommendation as the obligation of state authorities to ensure that scientific researchers have the responsibility and the right to work in a spirit of intellectual freedom; to participate in the determination of the aims, content and methods of research, which should be compatible with respect for universal human rights and fundamental freedoms, as well as ecological and social responsibility; to creativity, occupational mobility, international cooperation for furtherance of international peace, cooperation and understanding, etc.

Freedom of opinion and expression

25. Dominica is encouraged to decriminalize defamation and place it under the civil code in accordance to the international standards.

26. Dominica is encouraged to begin introducing a freedom of information law that is in line with international standards.

27. Dominica is encouraged to introduce self-regulatory mechanisms of the media in the country.