

Statement of the Commonwealth of Dominica to the HRC Plenary on the Outcomes of the UPR by His Excellency Mr. Vince Henderson

During the presentation of the Universal Periodic Review (UPR) in May 2014, the Government of the Commonwealth of Dominica presented its response to the Compilation prepared by the Office of the United Nations High Commissioner for Human Rights (OHCHR) and the questions submitted by Member States. Our presentation highlighted the achievements of the Government and People of Dominica in the education, healthcare, social services, protection of the rights of persons with disabilities, and to support indigenous people, women and the elderly. We also expressed our commitment to human rights, social justice and equity, which are enshrined in Dominican Constitution. Fundamental rights have become deeply rooted in the culture, traditions and way of life of the people of Dominica. Any change to the social order and the expansion of rights should be driven by the people and reflect their collective will. The people's representatives, therefore, cannot accede to international obligations without the consent of the people. The Government must remain true to its social contract with the people and respect their wishes.

Dominica remains committed to those international obligations that it has accepted, however, resource constraints, both technical and financial, make it difficult to meet some of the international commitments. Training and technical assistance is therefore necessary. We accept the offer of assistance from the OHCHR and other Member States and look forward to the continued support and collaboration.

I now turn to the recommendations that emanated from our UPR. The full report of the OHCHR contains Dominica's response to the recommendations as supported or noted as per the rules. I will, however, use this opportunity to highlight some of our responses.

The Government of Dominica has agreed to the recommendations and is in the process of ratifying the following conventions, treaties and optional protocols:

Scope of international obligations

1. Convention on the Elimination of All Forms of Racial Discrimination;
2. Convention against Torture and Other Cruel, Inhumane or Degrading Treatment or Punishment;
3. Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women;
4. International Convention against Enforced Disappearances;
5. Convention on the Rights of Migrant Workers;
6. Optional Protocol to the Convention on the Rights of the Child on a Communications Procedure;
7. Convention on the Prevention and Punishment of the Crime of Genocide; and
8. ILO Convention No. 189 concerning Decent Work for Domestic Workers;

Constitutional and legislative framework

Institutional and human rights infrastructure and policy measures

1. Consider establishing a national human rights institution or Office of the Ombudsperson in line with the Paris Principles;
2. Continue strengthening the protection and promotion of human rights through its institutions, legislation and public policies;
3. Promote human rights education and capacity building;

Cooperation with human rights mechanisms

1. Seek technical assistance in order to further advance the dissemination of human rights information in the country.

Cooperation with treaty bodies

1. Continue making efforts to advance in meeting its commitments under the international instruments to which the State is a Party;
2. Strengthen the cooperation with the treaty bodies by requesting necessary technical assistance to this end;
3. Consider to request technical assistance from the international community, including from the Office of the High Commissioner for Human Rights, in particular in terms of capacity building in order to allow it to over-come the challenges linked to the delays in submitting its reports to the human rights mechanisms;

Cooperation with the Office of the United Nations High Commissioner for Human Rights

1. Request greater efforts being made by OHCHR to further assist capacity constrained Small states in the Caribbean such as to address the challenges faced by Dominica in harmonizing and integrating international obligations with national legislation, as well as the increasing reporting obligations attendant thereto.

Equality and non-discrimination

1. Strengthen the efforts to fight against discrimination, guaranteeing the physical and mental integrity of the population;
2. Continue its work towards the eradication of acts of racism and other forms of discrimination and intolerance;
3. Take further steps to protect the rights of persons with disabilities and the rights of women and children, including through strengthening support services;

Right to life, liberty and security of the person

1. Continue its efforts in eliminating violence against women and girls to provide a safe living environment for them;
2. Speed-up the process of adoption of the national strategic plan on gender-based violence;
3. Ensure relevant agencies have sufficient resources and staff to enforce existing domestic violence laws;
4. Take further measures to address domestic violence and physical child abuse, including by ensuring adequate reporting of child abuse;
5. Take effective measures to respond to child abuse by establishing a comprehensive child protection policy;
6. Adopt a comprehensive list of hazardous work prohibited to children and amend its laws to raise the minimum age for employment to at least 15 and to expressly prohibit the use, procuring or offering of a child for pornography;

Right to social security and to an adequate standard of living

1. Continue to prioritise poverty alleviation in its socio-economic development so that its people will better enjoy their right to life and their right to development; and
2. Continue strengthening social plans and programmes under implementation to combat poverty, exclusion and social inequality, with an emphasis on employment, food and health for the benefit of the population, with particular attention to those most vulnerable sectors, and for which it is extremely important to have the support, assistance and cooperation of the community of nations.

Right to health

1. Further strengthen measures to ensure equal access to health services for all, while giving special attention to the needs of children, women and elderly persons; and
2. Continue, in cooperation with WHO, to improve its national health care system and ensure access to quality health care for all.

Right to education

1. Continue its efforts to promote and protect the full enjoyment of the right to education for all; and
2. Provide an inclusive education for all children, in particular children with disabilities and migrant children.

Cultural rights

1. Continue to strengthen the national cultural policy.

Persons with disabilities

1. Promote cross-cutting measures to prevent discrimination against persons with disabilities in the education system, including measures that allow for a safe physical access to education centres and classrooms;
2. Strengthen the measures aimed at guaranteeing the full integration of persons with disabilities through an inclusive education plan; and
3. Take steps to ensure the provision of inclusive education for all children with disabilities, including specialised centres for assessment and support, as needed.

The Government also notes other recommendations made with regards to other international human rights instruments that it has not yet signed nor ratified. These include:

Scope of international obligations

1. Second Optional Protocol to the International Covenant on Civil and Political Rights; and
2. Optional Protocol to the International Covenant on Economic, Social and Cultural Rights.

The Government of Dominica expresses its gratitude to the OHCHR for its assistance and to the Member States for their contribution to the UPR process. We also wish to thank those Member States that have and those who continue to assist us to provide universal access to education, healthcare, water and sanitation, housing, and social services especially to our indigenous Carib people, the disabled and the elderly.

The achievement of universal human rights is a laudable goal that all Member States should continue to pursue at the domestic as well as the international level. Some countries like Dominica that have made commitments under international treaties and conventions are unable to meet their obligations especially in reporting and monitoring due to resource constraints. Training, technical assistance, public education and continuous engagements should be provided where necessary. The Government of Dominica calls on all Member States that are in a position to assist to provide support to those countries that are having difficulties meeting their obligations. We also encourage Member States to partner with the OHCHR to provide the relevant assistance. Highlighting deficiencies in the implementation, reporting and monitoring of obligations of Member States under the various treaties and convention is not good enough. Equally, high-handedness and stick rather than carrot approaches are not helpful to advancing the attainment of universal human rights. What we need is more collaboration, support and genuine partnerships. I therefore pledge my Government's commitment to work with a coalition of the willing to meet its obligations and to expand its commitments, reporting and monitoring of human rights.

