

**Universal Periodic Review (37th session, October-November 2020)
Contribution of UNESCO**

Saint Kitts and Nevis

I. Background and framework

<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)	Not a State party	Reservation to this Convention shall not be permitted		Right to education
Convention concerning the Protection of the World Cultural and Natural Heritage (1972)	10/07/1986 Acceptance			Right to take part in cultural life
Convention for the Safeguarding of the Intangible Cultural Heritage (2003)	15/04/2016 Ratification			Right to take part in cultural life
Convention on the Protection and Promotion of the Diversity of Cultural Expressions (2005)	26/04/2016 Ratification			Right to take part in cultural life

II. Promotion and protection of human rights on the ground

A. Education

1. The Constitution of Saint Kitts and Nevis¹ of 1983 does not enshrine the right to education. Article 15 enshrines a principle of non-discrimination.

¹ <http://www.unesco.org/education/edurights/media/docs/ebd812473dd14590f4ff974087611df2cbc58c90.pdf>

2. The main law on education is the Education Act of 2005.² The right to education is not comprehensively enshrined in this law, as the article 14 states that “subject to available resources all persons are entitled to receive an educational programme appropriate to their needs...”. Under this act, primary and secondary education is compulsory until 16 years old and tuition-free. However, “other charges may be imposed at a public school or assisted private school with the approval of the Minister” (article 16).

B. Freedom of opinion and expression

Constitutional and Legislative framework:

3. Freedom of expression is guaranteed under Article 3 of the 1983 Constitution of Saint Kitts and Nevis.³
4. Defamation and libel are considered criminal offences that can lead up to a maximum of three years of imprisonment.
5. Freedom of information legislation has been passed in 2018.⁴

Implementation of legislation:

6. The National Telecommunications Regulatory Commission (NTRC) established pursuant to the Telecommunications Act 2 of 2000 regulated the broadcasting sector.⁵ Commissioners of the NTRC are appointed by the Minister responsible for communications.⁶

Safety of journalists:

7. UNESCO recorded no killing of journalist in Saint Kitts and Nevis between 2008 and 2019. Journalists and media professionals work in a safe environment.

III. Review and specific recommendations

A. Education

8. UNESCO carried out a policy review in St Kitts and Nevis in 2016⁷ including policy recommendations of the education system. The review covered four policy domains: academic staff policy; curriculum development; teaching and learning environments: policy and planning

² <http://www.parliament.gov.kn/wp-content/uploads/2017/06/EducationAct2005.pdf>

³ See the Saint Christopher and Nevis Constitution Order of 1983 at: <http://pdba.georgetown.edu/Constitutions/Kitts/kitts83.html>

⁴ See <https://www.rti-rating.org/country-data/Saint%20Kitts%20and%20Nevis/>.

⁵ <http://www.ntrc.kn/home-generic-v1-2/>

⁶ <http://www.ntrc.kn/telecommunications-act-2-of-2000/>

⁷ <https://unesdoc.unesco.org/ark:/48223/pf0000245170>

including M&E policies. These closely align with the emphasis placed on quality and equity by the Education 2030 Agenda.

Legislative, regulatory and policy framework:

- Saint Kitts and Nevis has adopted an Education Sector plan for the period 2017-2021,⁸ with three policy goals:
 - Improving equitable access to and participation in education at all levels
 - Strengthen the quality and relevance of education at all levels to improve learning outcomes
 - Enhance governance, planning, and management to improve efficiency and effectiveness throughout the sector
- A monitoring and evaluation system has also been developed with a mid-term evaluation and a final evaluation for 2021.
- Under the second policy goal, Saint Kitts and Nevis has drafted a Quality Teaching and Learning Framework in 2019,⁹ its purpose is to describe and promote an evidence-based model of quality teaching, learning and leadership that supports the success of all students¹⁰.

Specific recommendations:

9. Saint Kitts and Nevis should be encouraged to:

- Ratify the Convention against Discrimination in Education.
- Enshrine the right to education for all within its Constitution and its legislation.
- Submit regularly comprehensive national reports for the periodic consultations on UNESCO's education-related standard-setting instruments, and notably on the Recommendation against Discrimination in Education in the framework of the 10th Consultation.¹¹
- Ensure that 12 years of education are free of charge, in order to improve access to education for all.
- Continue its effort in order to implement the education sector plan and ensure a monitoring of the results.
- Share with UNESCO any relevant information to update its country profile on UNESCO's Observatory on the Right to Education.¹²

B. Freedom of opinion and expression

⁸ https://planipolis.iiep.unesco.org/sites/planipolis/files/ressources/st_kitts_education_sector_plan_2017-2021_0.pdf

⁹ Quality Teaching, Learning and Leadership Framework (QTLLF) Document, Saint Kitts and Nevis, Draft, 17 April 2019, available at: https://www.moeskn.org/index.php?option=com_content&view=article&id=225&catid=2&Itemid=101

¹⁰ Ibid

¹¹ <https://en.unesco.org/themes/education-policy-planning>

¹² <http://www.unesco.org/education/edurights/index.php?action=countries&lng=en>

10. Saint Kitts and Nevis is encouraged to introduce an access to information law that is in accordance with international standards.¹³
11. Saint Kitts and Nevis is recommended to decriminalize defamation, and place it within a civil code that is in accordance with international standards.¹⁴
12. Saint Kitts and Nevis is encouraged to assess the system of supervision of broadcasting sector in order to ensure that this process is transparent and independent.

C. Cultural rights

13. As a State Party to the Convention concerning the Protection of the World Cultural and Natural Heritage (1972)¹⁵, the Convention for the Safeguarding of the Intangible Cultural Heritage (2003)¹⁶ and the Convention on the Protection and Promotion of the Diversity of Cultural Expressions (2005)¹⁷, Saint Kitts and Nevis is encouraged to fully implement the relevant provisions that promote access to and participation in cultural heritage and creative expressions and, as such, are conducive to implementing the right to take part in cultural life as defined in article 27 of the Universal Declaration of Human Rights and article 15 of the International Covenant on Economic, Social and Cultural Rights. In doing so, Saint Kitts and Nevis is encouraged to give due consideration to the participation of communities, practitioners, cultural actors and NGOs from the civil society as well as vulnerable groups (minorities, indigenous peoples, migrants, refugees, young peoples and peoples with disabilities), and to ensure that equal opportunities are given to women and girls to address gender disparities.

D. Freedom of scientific research and the right to benefit from scientific progress and its applications

14. Saint Kitts and Nevis did not submit its National Report on the implementation of the Recommendation on the Status of Scientific Researchers (1974) for the Second Consultation covering the period from 2013 to 2016¹⁸. Therefore Saint Kitts and Nevis is encouraged to report to UNESCO in future on the implementation of the newly adopted Recommendation on Science and Scientific Researchers (2017), which supersedes the 1974 Recommendation, on any legislative or other steps undertaken by it with the aim to ensure the application of this international standard-setting instrument paying a particular attention to the legal provisions and regulatory frameworks which ensure the implementation of human rights of scientific researchers, as well as human rights obligations related to science, the principle of non-discrimination, including urging active

¹³ See for example, the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights (ICCPR), the recommendations of the 2000 Report of the UN Special Rapporteur on Freedom of Opinion and Expression, the 1981; 2002 Recommendation of the Committee of Ministers of the Council of Europe, the 2002 African Commission on Human and Peoples' Rights Declaration of Principles of Freedom of Expression in Africa and the 2000 Inter-American Commission on Human Rights' Declaration of Principles of Freedom of Expression.

¹⁴ See for example, General Comments No 34. of the International Covenant on Civil and Political Rights (ICCPR), 2006 Recommendation of the 87th Session Human Rights Committee, the recommendations of the UN Special Rapporteurs on the Right to Freedom of Opinion and Expression, and Resolution 1577 (2007) of the Parliamentary Assembly of the Council of Europe.

¹⁵ Periodic Report available at: <http://whc.unesco.org/document/123037>

¹⁶ Periodic Report not available

¹⁷ Periodic Report not available

¹⁸ <http://unesdoc.unesco.org/images/0025/002592/259256e.pdf>

promotion of women and girls entering scientific careers, as well as the scientists' rights of autonomy, freedom of research, expression and publication.