

Antigua and Barbuda 2016 UPR: Joint Submission from the United Nations Subregional Team for Barbados and the OECS

I. Background and framework

A. Scope of international obligations

The United Nations Subregional Team for Barbados the OECS (“UNST”) notes that during the 2011 Universal Periodic Review of Antigua and Barbuda (“2011 UPR”) the country received numerous recommendations to ratify or accede to various international human rights treaties including the International Covenant on Civil And Political Rights, the International Covenant On Economic, Social And Cultural Rights and The Convention On The Rights Of Persons With Disabilities. Although Antigua and Barbuda (“AB” or “Antigua”) accepted many of these recommendations, Antigua has not ratified any additional core UN international human rights treaties since its last review.

Recommendations:

- Consistent with the recommendations issued in AB’s 2011 UPR, the UNST encourages Antigua to accede to all core UN human rights instruments as soon as possible.

B. Constitutional and legislative framework

- Antigua is a democratic state with a legislature comprised of a Senate and House of Representatives. The nation is divided into six administrative parishes and 17 electoral constituencies, including one for Barbuda, overseen by a Cabinet of 12 ministers. The Cabinet is appointed by the Governor General on advice from the Prime Minister who is elected through a general election every five years.
- Antigua participated in the Organization of Eastern Caribbean States (“OECS”) **Family Law and Domestic Violence Legal and Judicial Reform Project (“OECS Reform Project”)**.¹ In its most recent report to the Committee on the Rights of the Child, the Government of Antigua and Barbuda (“GOVAB”) indicated that it intended to introduce legislation designed under the **OECS Reform Project**. The proposed legislation would cover childcare and protection, adoption, juvenile justice, domestic violence and institution of a family court. However, at this time none of this proposed legislation is pending before parliament.
- In 2012, the Chief Welfare Aide in the Ministry of Social Transformation indicated that the GOVAB would introduce new legislation to combat elder abuse, particularly financial abuse, however at this time there is no indication that the legislation is moving forward.

¹ The OECS Family Law and Domestic Violence Reform Project forms part of the wider Judiciary and Legal Reform Project of the Eastern Caribbean Supreme Court (ECSC) aimed at increasing the capacity of the judicial system and related institutions to improve the administration of law and quality of justice in the OECS. The project reflects the commitment by the OECS Governments to develop harmonized model family legislation for the Member States and to create a climate that would facilitate greater access and equity to justice as well as a more integrated and holistic approach to resolve matters related to the family and children.

C. Institutional and human rights infrastructure and policy measures

- During the 2011 UPR, Antigua accepted the recommendations to establish a national human rights institution in accordance with the Paris Principles. Antigua currently has an Office of the Ombudsman which is an accredited “C” Class NHRI which is tasked with investigating cases of government administrative injustice only. The office, however, is under resourced and its power is limited.
- Although Antigua has made efforts to be responsive to some of the recommendations received during the 2011 UPR, the country’s ability to do so effectively would be greatly strengthened by the establishment of an institutionalized mechanism to coordinate the implementation of human rights recommendations and the GOVAB engagement with international and regional human rights mechanisms.

Recommendations:

- With the support of international partners, establish a national human rights institution in accordance with the Paris Principles.
- Establish an institutionalized, inter-ministerial human rights mechanism to monitor and report on the implementation of recommendations from international human rights mechanisms.

II. Cooperation with human rights mechanisms

A. Cooperation with treaty bodies

- Small island developing states such as Antigua have limited capacities and resources to prepare and submit treaty body reports in a timely fashion. As such, the country struggles with meeting its reporting obligations to the treaty bodies.
- With the support of UNICEF, Antigua submitted its 2nd to 4th Periodic State Report to the Committee on the Rights of the Child in 2014.
- UN Women is currently supporting Antigua in the completion of its overdue report to the Committee on the Elimination of Discrimination against Women.

C. Cooperation with the Office of the High Commissioner for Human Rights

- To date, the Government of Antigua and Barbuda (“GOVAB”) has had limited engagement with the OHCHR with regard to seeking technical assistance in meeting its international human rights obligations or facilitating human rights training and education.

Recommendations:

- Continue to work with UNICEF and UN Women in the preparation of treaty body reports for the CRC and CEDAW treaty body committees and seek technical assistance from the OHCHR to improve Antigua’s efforts to meet its international human rights obligations.

III. Implementation of international human rights obligations, taking into account applicable international humanitarian law

A. Equality and non-discrimination

- The Constitution of Antigua and Barbuda prohibits discrimination on the basis of sex, race, place of origin, political opinions, color, or creed, but no specific legislation addresses discrimination based on disability, language, sexual orientation or gender identity, or social status.
- The UNST notes that until 2013, Antigua was subject to a Standby Agreement with the International Monetary Fund (IMF), which left very little space for measures to address the harsh conditions facing the majority of the population, women and children in particular.²

Gender equality and women's rights

- Within the broader Antiguan and Barbudan socio-cultural context, women are not considered to be at any systemic or institutionalized disadvantage to men. There remains, however, many other gender-based obstacles facing women which results in systemic, institutional and socio-cultural, political and economic inequalities.³
- The **2005 Equal Opportunity Act** bars discrimination on the basis of race, gender, class, political affinity, or place of origin. However, societal discrimination and violence against women remain..
- According to the **Caribbean Development Bank's 2014 Country Gender Assessment for Antigua and Barbuda ("CGA")**, although the GOVAB has enacted legislation to eliminate direct and indirect discrimination on the basis of sex, other pieces of legislation, such as **the Social Security Act, Sexual Offense Act and the Offences Against Persons Act** contain ingrained biases which may lead to discriminatory practices.
- Antigua does not currently have a **National Gender Policy** in drafted or expired form.
- The **Sexual Offences Act** does not recognize rape within marriage, except under certain circumstances pertaining to the separation or dissolution of the marriage. Under the law, women are not able to commit the crime of "rape" (defined as penetration), and penalties for unlawful carnal knowledge (sex with a minor) are less for women who commit these crimes than men who do the same. There are therefore gender inequities built into this legislation that disadvantage men both as victims and perpetrators, and women, in specific instances, as victims.⁴
- Violence against women is a serious and pervasive problem. Survey and studies of domestic violence indicate up to 40% of adult women in Antigua experience physical abuse in intimate relationships.
- With the support of UN Women, in 2013 the GOVAB adopted a **National Action Plan to End Gender-Based Violence (GBV NSP) (2013-2018)**. The plan is a "holistic, systematic,

² Caribbean Development Bank, Country Gender Assessment, Antigua and Barbuda (Vol. 1), June 2014

³ *ibid*

⁴ *Ibid.*

complementary and comprehensive” multi-sectoral plan to address gender-based violence in the country. It was developed through a multi-country project aimed at strengthening state accountability to end GBV.

- The GOVAB indicates that updated domestic violence legislation is pending.
- The Gender Affairs Directorate has designed and implemented the **Domestic Violence Programme**. The programme works to empower women and to focus attention on the problem of violence against women, particularly domestic violence. The programme offers counselling, support, court advocacy, protection, training and education of the public, crisis centre and emergency accommodation for women. It works closely with the **Police Sex Offense Unit**. In late 2007 it supported the establishment of the **Sex and Assault Referral Centre** which helps address these crimes in a more forceful and effective way.
- The Directorate of Gender Affairs runs a helpline for victims and the NGO Women Against Rape provides support to victims of sexual violence and serves as a victim advocate to support victims through police reporting and judicial processes. There are no shelters for survivors of domestic violence in Antigua and Barbuda. Some survivors are placed with volunteers or temporarily in guest houses/hotels. A grant from the United Nations Trust Fund established a one stop centre for victims of violence which allows for immediate accommodation relief only.
- Antigua has a relatively large population from the Spanish-speaking Caribbean, and many of non-legal migrants are women employed as domestic workers with little or no state protection. Further, the number of Spanish speaking migrant women involved in and made vulnerable to violence through sex work is also notable.
- Throughout the most productive economic sectors, women in Antigua predominate in positions that are precarious, lower paying and/or less secure, and largely reinforce stereotypical gender roles of domesticity and the provision of care. Men are far greater represented in the sectors that contribute the highest percentage to GDP, and within those targeted by the GOVAB for development. Overall, women maintain a higher unemployment rate than men, and remain unemployed for longer periods, once they fall into the category of ‘economically inactive’. The under-representation and under-participation of women in productive sectors means that proposed strategies to promote growth and stimulate development are likely to exclude them, and further inflate overall gender wage gaps and other inequalities.⁵
- Similar to other Eastern Caribbean countries, women comprise the majority of civil servants and hold senior level roles within government. Women account for 62% of Permanent Secretaries, the most senior-level civil servants, while men comprise the majority of Heads of Department, accounting for 60% of these post-holders.⁶ Despite the dominant representation of women within the civil service, and although women participate fully in voting during elections and are very active in political parties, women are still severely underrepresented in political leadership positions. As of the 2014 general elections, there are only two women in Parliament.

⁵ CGA, p.1

⁶ CGA, p.3

- The CGA found that the public service is characterized by a systemic under-valuing of traditionally female-dominated Ministries such as Education, Health and Social Services, while higher salaries are found in the so-called ‘hard’ or ‘masculine’ sectors of Finance, Public Works, Information Technology and National Security.
- Statistics reveal near gender parity in the attendance of males and females in schools at the primary and secondary levels in Antigua and Barbuda. There is on-going debate regarding the academic out-performance of female students over male students. However, according to a number of studies and educators, where boys are underperforming, girls in similar economic circumstances are also underperforming. Although females fare much higher in educational attainment at the tertiary level, graduating from college and university has not resulted in a major shift in women’s access to work, higher incomes, or leadership and decision-making positions. Moreover, it has not translated into women penetrating economic sectors that are more productive and targeted for development.⁷
- Poverty is more prevalent among women (15 years and older) who are *not in union* (i.e. without a partner). Many of these women have children but do not receive child support from the children’s father. Data from the **2007 Antigua and Barbuda Country Poverty Assessment CPA (“2007 CPA”)** indicates that nearly one-half of women not in union had one or more children and 20% of these women had 3 or more children. The 2007 CPA indicates that “the ubiquity of the missing male in the household and the apparent inability or unwillingness on the part of men to support their families and children were seen by the participants as a major factor that contributed to women and their children living in poverty”.

Recommendations:

- Adopt a **National Gender Policy** with the support of UN Women.
- Establish a national coordinating committee to address gender-based violence and incorporate a focus on gender-based violence into broader citizen security initiatives particularly those related to addressing gang related violence.
- Enhance the capacity for gender analysis within government ministries, departments and agencies which coordinate policy development.

The rights of children

- In its most recent report to the Committee on the Rights of the Child, the GOVAB indicated that it intended to introduce legislation designed under **the OECS Reform Project**. The proposed legislation would cover childcare and protection, adoption, juvenile justice, domestic violence and institution of a family court. The GOVAB indicates that a child justice bill is currently pending before Parliament.
- Child Protection Officers at the **Citizen Protection Division in the Ministry of Housing and Social Transformation** indicate that there is no accurate sense of the levels of child maltreatment, including sexual abuse, because there is no centralized data collection system. The child protection team

⁷ Ibid.

in that department emphasized that in practice there is no mandatory reporting of child abuse, despite the legislative requirement that all cases should be reported to their department.⁸

- There is inadequate data for most Caribbean countries on child sexual abuse but various studies from across the region suggest that the incidence of child sexual violence and abuse in the Caribbean is alarming, Results from World Bank's Caribbean Youth Development Report, 2003 shows that the Caribbean has the earliest age of sexual debut' in the world with many young people being initiated into sexual behavior as a consequence of child abuse as early as five (5) years old in some countries and 10 years in others. The 2014 Antigua Social Survey on Violence indicated that about one in four respondents stated that they knew of a child who was a victim of child sexual abuse.
- The **Citizens' Welfare Division** is responsible for coordinating and managing all matter relating to child welfare including reports of child sexual abuse. While the law requires mandatory reporting of alleged cases of child sexual abuse, the mandatory provision of the law is not effectively enforced. At this time there is no comprehensive national strategy/policy against child sexual abuse and no national plan of action against child sexual abuse. There are deficiencies with respect to the investigation of cases and the general protection of the rights of abused children within the investigative and court processes. The suggested solutions all point to the need for a general overall and modernization of the legal framework relating to child abuse.
- Corporal punishment remains legal in home and in school in Antigua. However, the Social Survey on Violence indicated that 68% of those interviewed felt that corporal punishment was not important in raising or educating children. In terms of the school environment, the majority of respondents believed that corporal punishment had a negative or no effect on children's learning and concentration in class. Nonetheless, the survey indicated that there is still popular support for maintaining corporal punishment in schools and in homes.
- The effective age of criminal responsibility in Antigua is eight years old. Aside from probation, there are no alternatives to sentencing and no restorative justice options, and juveniles are tried in the same courts as adults. However, in October 2015 the GOVAB indicated that it would start pre-sentencing diversion training to look at steps that could be taken to avoid putting juveniles in prison.
- In 2012 Antigua moved toward strengthening the juvenile justice system with the opening of a **Family Court** which handles child maintenance matters and domestic violence cases.
- There are currently no juvenile detention facilities for girls. The Salvation Army Sunshine Home for Girls is an institution for girls-teens who have been either abused, delinquent, however, in 2012, two suicidal, abused teen girls were remanded to prison due to a lack of a suitable facility to care for them.
- The Boy's Training School is for boys 10 to 18 years old who are housed for "care and protection and minor infractions with the law." Boys are referred to the School by the court system. The objective is to rehabilitate the boys by teaching them proper ethics, socialization, vocational and technical skills while reintegrating them back into society. However, the school has been criticized for inadvertently preparing

⁸ 2009 Review Of Policing And Prosecution Of Sexual Offences: Country Report For Antigua Commissioned by: Association of Caribbean Commissioners of Police (ACCP) & United Nations Development Fund for Women (ACCP Report)

abandoned and abused boys for lives of crime by housing offenders and non-offenders together in the same facility.

- The GOVAB indicates that it recently passed an Act which allows for the expunging of convictions committed under age 21 once the person has been on the straight and narrow for a minimum of seven years.
- Within the OECS, Antigua has the second highest rate of adolescent pregnancies (ages 15-19), at 67 percent per 1000 girls. The issue of how to deal with pregnant adolescent girls is controversial. In 2009, the government was forced to withdraw a controversial piece of legislation seeking to bar visibly pregnant teenage girls from the classroom.
- Antigua was among representatives from the 15 CARICOM Member States that met in St. Lucia in 2014 to agree on a CARICOM strategy and action plan to reduce adolescent pregnancy in the region. The plan was developed by a multi-sectoral and multi-disciplinary Regional Task Force led by UNFPA in collaboration with the CARICOM Secretariat. The new framework is expected to guide Caribbean governments in the development of long term plans to address adolescent pregnancy.

Discrimination, violence and stigma against persons living with HIV/AIDS, lesbian, gay, bisexual, transgender and intersex persons

- Several sources indicate that sexual acts between same-sex couples are illegal for both men and women in Antigua and Barbuda. **The Sexual Offences Act** No. 9 of 1995, s. 12 states that “a person who commits buggery is guilty of an offense and is liable on conviction to imprisonment” from five years to life.
- Antigua is a homophobia society where it is not uncommon for clergy to preach against homosexuality and media that play homophobic music. Public figures have also openly displayed homophobic behavior. The Attorney General of Antigua and Barbuda reportedly told the press that “there will be no change in the law on buggery, at least not if I can help it. Being gay is morally wrong, and to be honest personally, I am still homophobic.”⁹
- Antigua does not have laws that protect people against discrimination based on sexual orientation. Open LGBT people, particularly from the lower economic bracket, face discrimination and stigma, and may face challenges accessing basic health care, social services and face greater difficulty finding jobs. Cases of discrimination to the police or social services, but there is no official protocol in place to handle such cases.
- Civil society organizations report that LGBT persons remain vulnerable to persecution and harassment on a daily basis. Gay rights activists report that LGBT persons have been subject to violent crimes are hesitant to report the crime to the police. Attacks against LGBT people frequently go unreported for multiple reasons, such as fear of revealing their sexual orientation, fear of stigma and discrimination or fear due to past experience with police or hearing of experiences of other LGBT people.

⁹ Caribarena 3 Oct. 2011; Antigua Observer 5 Oct. 2011

- Civil society also reports that sometimes law enforcement officials discriminate against LGBT people either not taking reports seriously or using excessive force against LGBT people. In September 2015, an openly gay man alleged that he was so brutally beaten by a police officer that he lost vision in one eye.
- The Royal Police Force of Antigua and Barbuda has indicated that some police officers have received training on stigma and discrimination. In 2015, as part of a panel of LGBT activists, the Deputy Police Commissioner of Police stated “we do not discriminate. That is the policy of the department that we do not discriminate against anyone regardless of their sexual orientation. A number of rights are enshrined in our Constitution and the police department seeks to enforce those rights.”

B. Right to life, liberty and security of the person

- Government has committed to the implementation of several projects aimed at addressing the safety and security of residents. The United Nations Development Programme (UNDP) is leading the initiative in Antigua, Barbados and other Eastern Caribbean States. The programme is geared towards assisting regional governments to better coordinate security; improve the capacity of the police to prevent violence; and train judges and court officials.
- In September 2015, UNDP held a meeting in Antigua on **Sustainable Development and the Citizen Security Agenda: Defining Priority Actions in Barbados and the Eastern Caribbean**. During that the meeting, government officials from the Ministry of Public Safety, Immigration and Labor indicated that there was an increasing trend in transnational crime and the illicit drug trade. Statistics presented by the Deputy Police Commissioner indicated an increase in violent crime between 2013 and 2014.
- In 2012 the GOVAB launched a **National Crime Fighting Plan (2012-2016)** which was compiled with input from the Royal Police Force of Antigua & Barbuda, Antigua & Barbuda Defence Force, Her Majesty’s Prison, the Office of National Drug and Money Laundering Control Policy (ONDCP) and the Immigration Department.
- There is a de facto moratorium on the death penalty, as no one has been executed in 24 years. However, the death penalty continues to enjoy popular support and there are frequent calls for a full reinstatement of the sentence. In 2013, the Minister of National Security announced that Antigua would begin actively enforcing the death penalty after a 22-year lull. This announcement in an environment of increasing gun crime in Antigua and in the immediate wake of a tragic murder of a mother of five. The Minister indicated that in spite of the Privy Council’s ruling in the **Pratt and Morgan case**, the State would do “whatever needs to be done will be done to ensure that we move forward in that regard.”

C. Administration of justice, including impunity, and the rule of law

- In 2004, Antigua and Barbuda passed the **Integrity in Public Life Act and the Prevention of Corruption Act of 2004**, under which the **Integrity Commission** was established charged with “receiving declarations of the affairs of persons holding specific positions in public life, for the purpose of establishing probity, integrity and accountability in public life and for related matters.” However, in 2015, the OAS issued a report indicating that the GOVAB has not done enough to implement the integrity

legislation or empower the Integrity Commission. In this regard, the OAS said the government should also provide the Integrity Commission with auditors or investigators, who can properly verify the accuracy of the declarations of income, assets and liabilities. The OAS also stressed the need for the Integrity Commission to have budgetary independence and should be given the authority to impose administrative sanctions for breaches of the Integrity in Public Life Act.

- In 2015, the U.S. Attorney's Office in Manhattan filed conspiracy- and bribery-related charges against John Ashe, a UN ambassador from Antigua. In exchange for the money, federal prosecutors say, Ashe used his position as Permanent Resident to the United Nations for Antigua and Barbuda and General Assembly head to help the businesspeople gain investments and government contracts from 2011 through 2014. The allegations in the unsealed complaint implicate Antigua's former prime minister, Baldwin Spencer, and senior officials from his government in the bribery scheme.
- In 2014 the Antigua Attorney General was acquitted of fraud-related charges after the Police Commissioner said that there was not enough evidence to prosecute him. Earlier that year, a magistrate court had committed the AG to stand trial on allegations of passport fraud.
- Although there are not frequent accusations of police abuse, in January 2015, the Police Commissioner was suspended due to allegations that he failed to act on four complaints against other officers.
- A 2010 victimization survey on Antigua indicated that 20% of persons polled has no confidence in the police and 40% thought that the police were incompetent.
- The Deputy Commissioner of Police indicates that there is an internal review mechanism for police complaints but there is not an institutionalized police complaints authority.
- In 2012 National Security Minister Dr Errol Cort has said the police force is working on improving its Complaints Department, a unit which is only manned by "one or two" individuals.
- Similar to other Caribbean countries, Antigua faces a severe backlog in criminal court cases. In 2013, newspapers reported that accused defendants remained incarcerated for as long as five years awaiting trial. While the Director of Public Prosecutions ("DPP") indicated his own frustration with the criminal case backlog, attributing it to a lack of resources, he also suggested that the backlog could be a function of defense lawyers not advising their clients properly (i.e. not advising their clients to plead guilty).
- The GOVAB has indicated that a lack of magistrates accounts for some of the backlog. The AG indicated that attempts to resolve the magistrate deficit have been made but the roles are very difficult to fill. In 2013, lawyers volunteered to temporarily operate as magistrates to ease the severe backlog that currently exists in the Magistrate's Court.
- Antigua's only prison, Her Majesty's Prison, is very old, subject to harsh conditions and extremely overcrowded. The US State Department 2014 Human Rights Report noted that poor ventilation caused cell temperatures to remain very high, cell conditions were unhygienic and prisoners did not receive an adequate diet prescribed by internal regulations. The prison had inadequate toilet facilities, with slop pails used in 98 cells. There were unsanitary conditions in the kitchen, including the presence of insects, raw meat on the ground, stray cats, and an overwhelmingly unpleasant odor.
- The prison runs a number of rehabilitation programmes that aim to provide inmates with skills they can utilise once they have completed their sentences. In December 2012, a 12-acre prison farm was

commissioned by the government. The facility houses those nearing the completion of their sentence and who are not deemed to be a security threat. The produce will feed the farm's inmates and surpluses will be used to feed inmates in Her Majesty's Prison, helping to cut government costs.

H. Right to work and to just and favourable conditions of work

- There is a high incidence of sexual harassment in the private and public sectors, but cases are rarely formally reported. The lack of reporting is usually results from concerns about retaliation.
- In 2013 three new conciliators were added to the Ministry of Labour intended to bring relief to hundreds of people waiting years to have their labour matters heard. In 2012, the Trade Union Congress (TUC) expressed concerns about the length of time it took before a labour dispute case could be heard; the period of time between a hearing and reports generated from the hearing; the quality and substance of reports in relation to articulation of the facts and use of evidence among other things.

H. Right to social security and to an adequate standard of living

- The 2010 **Social Protection Assessment** was conducted which was a comprehensive review of the social protection systems. It indicated that although Antigua and Barbuda has good social indicators, it faces increasing pressure to maintain them as a result of the global economic crisis and fiscal constraints.”
- Antigua's economy is heavily reliant upon tourism, so the fact that the sector is in steep decline due to the global financial crisis is a major concern. Tourism accounts for nearly 60% of gross domestic product (GDP) and 40% of investment in the country.
- Poverty affects 18.4% of the population of which 3.7% are indigent or extremely poor. Children less than 14 years old account for 26.6% of the population but for 35.5% of the poor. Indigence is also concentrated among children less than 14 years, as they represent 32.5% of the indigent and 26.6% of the population. The majority of the poor are female: 52.8% of the poor are women and 47.2% are men. However, when compared to their representation in the population -- women represent 56% and men, 44% indicating that the relative incidence of poverty is greater among males than among females.
- While most families already have access to basic services, there is still a significant number that do not have access to piped water, sanitation, or electricity: about 10.7 per cent of the households (3,520 units) do not have access to piped water; 22.9 per cent (7,534 units) to proper sanitation; and 7.8 per cent (2,566 units) to electricity.
- The GOVAB approved a **Food and Nutrition Security Policy**, a **Poverty Reduction Strategy** and a **National Economic and Social Transformation Plan (NEST) Plan**. The **Zero Hunger Challenge Proposed Plan of Action 2013-2014** is a joint initiative between the GOVAB and collaborating donor agencies (FAO, IICA, PAHO, PMA, ECLAC), in the framework of the Hunger-Free Latin America and the Caribbean Initiative. The Plan of Action is aligned with the recently approved Food and Nutrition Security Policy for Antigua and Barbuda, and with the NEST Plan, proposing concrete actions towards the eradication of hunger and extreme poverty in the country.
- The policy responses forming the **National Economic and Social Transformation (NEST) Plan**, will be comprised of a fiscal consolidation programme, economic action plan, financial sector stability plan, and a comprehensive social safety net. After intense local consultation, the Government has

designed and is now implementing the NEST Plan to “deal with the immediate socio-economic situation and place the economy on long-term sustainable footing.” The Social Transformation Programme will seek to enhance education at all levels, providing quality health care, strengthen the social safety and tackling crime and national security issues.

- On the social safety net, the Government will continue to support the programmes such as **the School Uniform Grant and the School Meals Programme, the Home Improvement Grant, the Poverty Alleviation Grant, the GRACE Programme, the Job Training initiatives, and the Senior Citizens Utility Subsidy Programme and the People’s Benefit Programme.**

Recommendations to Government:

- Establish a National Social Protection Floor, consistent with ILO Recommendation No. 202 (2012), to ensure that all members of society enjoy at least a basic level of social security.

I. Right to health

- During the last several years, Antigua made significant progress in its health conditions and eliminated most of the traditional infectious diseases. Malaria no longer poses a problem in Antigua and all other communicable diseases are under control. The country now confronts an epidemic of chronic diseases, also known as lifestyle diseases, including diabetes, high blood pressure, heart diseases, and obesity.
- The **Medical Benefit Scheme (MBS)** was created in 1978 to assist beneficiaries suffering from certain chronic disease. It is financed by a payroll tax with employees contributing 3.5% and employers another 3.5%. In contrast to Social Security, there are no wage ceilings, and therefore the tax applies to a person’s full salary. The Scheme covers the following diseases: asthma, cancer, cardiovascular diseases, certified lunacy, diabetes, glaucoma, hypertension, leprosy, and sickle cell anaemia. The programme provides exams, lab tests, and medicines to treat these diseases.
- Abortions are illegal in Antigua but are allowed in cases where the pregnancy involves a risk to the life of the pregnant woman. However, abortion remains illegal in cases that would result in grave permanent injury of a physical or mental health nature to the woman and in the cases of rape or incest.
- Antigua is part of CARICOM’s Council for Human and Social Development (COHSOD) which has approved a strategy to reduce the number of adolescent pregnancies in each country of the English and Dutch speaking Caribbean by at least 20 percent over the five year period 2014 – 2019.
- The national response to the HIV epidemic in Antigua continues to be led by the Ministry of Health (MOH). **The National AIDS Programme (NAP)** remains the focal point for information geared to effecting behavioral change, health promotion and communication strategies. The NAP also continues to coordinate the treatment, care, provision of support, coordination of activities relating to HIV and AIDS and is still the focal point for the collection of and dissemination of most HIV and AIDS related data.
- Estimates of overall HIV prevalence have steadily increased over the past six years, from 0.8 percent in 2005 to roughly 1.4 percent in 2011 (NAP). Data suggest that the majority of cases reported to the NAP were among persons between 15 and 49 years of age; some evidence suggests that youth, men who have sex with men, and female sex workers are most at risk of contracting HIV.

- The country has seen a reduction in the number of persons testing positive for HIV infection. Anecdotally, this is thought to be as a result of increased awareness of HIV prevention strategies, collaborative partnership in the prevention efforts and the availability of free ARVs for PLHIV. However, the decrease in donor spending threatens the sustainability of this positive trend in the HIV response in Antigua and Barbuda.

L. Persons with Disabilities

- The prevalence of persons with special needs in Antigua appears to be on the high side when compared to other Caribbean countries. According to a United Nations Economic Commission for Latin America and the Caribbean (ECLAC) study, the incidence of disability in Antigua is 5.1%, being higher for women (5.7%) than for men (4.4%).
- The Constitution of Antigua has some anti-discrimination provisions. In 2007 the government signed the Convention on the Rights of the Disabled, though it has still not been ratified. 57 There are not specific laws and regulations protecting those with special needs or facilitating their integration into society.
- The Ministry of Education runs the **National Rehabilitation Centre for Person with Disabilities, the School for the Deaf, the Unit for the Blind and Visually Impaired, and the Adele School for Special Children.**

N. Migrants, refugees and asylum seekers

- On 10 June 2015, UNHCR's local partner, the Antigua Red Cross, informed the UNHCR of 10 Syrian nationals who had requested asylum in Antigua. According to the Red Cross, the 10 asylum-seekers entered the country legally and subsequently requested asylum. The 10 asylum-seekers were placed under "house supervision" after the asylum request.
- The Red Cross indicated that Antigua authorities had been pressuring the asylum-seekers to return to Syria voluntarily and threatening deportation. Press statements reflected concerns as to whether these asylum-seekers would be given a fair opportunity to seek asylum in Antigua.
- UNHCR's Caribbean Protection Unit registered the 10 asylum-seekers and requested that the Government refrain from deporting the individuals to Syria in light of the international protection concerns presented. UNHCR offered to provide advisory opinions to the Government on the individual claims.
- UNHCR has indicated that it will work with the GOVAB to find permanent solutions for this group of refugees and has begun exploring resettlement prospects.