

**Universal Periodic Review**  
**Contribution of UNESCO to Compilation of UN information**  
**47th session (April 2024)**

**Dominica**

**I. RATIFICATION OF UNESCO CONVENTIONS**

<b><i>Title</i></b>	<b><i>Date of ratification, accession, acceptance, approval or succession</i></b>	<b><i>Declarat ions /reserva tions</i></b>	<b><i>Recognition of specific competences of treaty bodies</i></b>	<b><i>Reference to the rights within UNESCO's fields of competence</i></b>
Convention concerning the Protection of the World Cultural and Natural Heritage (1972)	Ratification on 4 April 1995			Right to take part in cultural life
Convention for the Safeguarding of the Intangible Cultural Heritage (2003)	Ratification on 5 September 2005			Right to take part in cultural life
Convention on the Protection and Promotion of the Diversity of Cultural Expressions (2005)	Accession on 7 August 2015			Right to take part in cultural life

Convention against Discrimination in Education (1960)	Ratified on 14 March 1983	Reservation to this Convention shall not be permitted		Right to education
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## II. REVIEW OF LEGISLATIVE, REGULATORY AND POLICY FRAMEWORKS AND IMPLEMENTATION

### A. RIGHT TO EDUCATION

#### Discrimination in Education (UNESCO consultations)

1. Dominica did not submit a report to the 9th and 10th consultation on the Convention against Discrimination in Education.

#### Constitution and main education law(s)

2. The Constitution<sup>1</sup> of the Commonwealth of Dominica does not enshrine the right to education. However, it includes a principle of non-discrimination. The

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<sup>1</sup> [https://www.constituteproject.org/constitution/Dominica\\_2014](https://www.constituteproject.org/constitution/Dominica_2014)

education act<sup>2</sup> states that all persons are entitled to receive an educational programme, but this provision is dependent on available resources, therefore the right to education is not fully guaranteed. Moreover, no legislative provision prohibiting discrimination in education has been identified. According to this law, primary and secondary education is compulsory from five to 16 years old, and education in public schools shall be tuition free. However, according to the law and the education regulations of 2011,<sup>3</sup> other fees may be imposed. No provision guaranteeing free or compulsory pre-primary education has been identified.

### Legal age of marriage

3. According to the Marriage Act 1991<sup>4</sup> as amended in 2013,<sup>5</sup> the minimum age of marriage for girls is of 18 years old. Exceptions allow them to get married below 18 years old with parental consent, but not before they have reached 16 years of age. According to the Joint CEDAW-CRC General Recommendation/Comment, child marriage, also referred to as early marriage, is any marriage where at least one of the parties is under 18 years of age.

### Corporal punishment

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<https://www.unesco.org/education/edurights/media/docs/3862bc275af5b332e7f1044f8c18f2641da03b32.pdf>,

<https://www.unesco.org/education/edurights/media/docs/c824e5d6d33f744c049784c8fcc685d60b7d21fa.pdf>,

<https://www.unesco.org/education/edurights/media/docs/8223859c5c18bd6c1ef39935e71400160e566ee6.pdf>

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<https://www.unesco.org/education/edurights/media/docs/381319971d285c44d6c037ea79f00c8b08b18d6a.pdf>

<sup>4</sup> <https://www.dominica.gov.dm/laws/chapters/chap35-01.pdf>

<sup>5</sup> [https://www.dominica.gov.dm/laws/2013/Marriage%20\(Amendment\)%20Act,%202013%20ACT%2021%20of%202013.pdf](https://www.dominica.gov.dm/laws/2013/Marriage%20(Amendment)%20Act,%202013%20ACT%2021%20of%202013.pdf)

4. Recommendations were made, during the last cycle, to prohibit corporal punishment at school and early childhood educational institutions.
5. However, corporal punishment is still lawful in schools (Article 49 of the Education Act). In early childhood educational institutions, it is prohibited by article 54 of the early childhood and education regulations from 2003<sup>6</sup> that states "A permit holder operating a [Early Childhood Education] facility shall ensure - (c) that no child while attending the facility is subjected to emotional, physical or sexual abuse or to physical or emotional neglect or to shaking, shoving, hitting, spanking or any other form of corporal punishment."

#### Minimum age of employment

6. The Education Act prohibits employment of children below 16 years old during the school year (article 46). However, the employment of women, young persons and children act<sup>7</sup> and the employment of children (prohibition) act<sup>8</sup> states that no child shall be employed before 14 and 12 respectively. According to ILO Convention 13<sup>8</sup> (Minimum age convention) "The minimum age [for admission to employment or work] shall not be less than the age of completion of compulsory schooling and, in any case, shall not be less than 15 years". However, the minimum age can be lowered to 14 years under certain circumstances (article 4).

#### Enrolment rates:

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<sup>6</sup>[https://education.gov.dm/images/documents/education\\_laws/Education%20Early%20Childhood%20Education%20Regulation%202003%20SRO%2039%20of%202003.pdf](https://education.gov.dm/images/documents/education_laws/Education%20Early%20Childhood%20Education%20Regulation%202003%20SRO%2039%20of%202003.pdf)

<sup>7</sup> <https://www.dominica.gov.dm/laws/chapters/chap90-06.pdf>

<sup>8</sup> <https://www.dominica.gov.dm/laws/chapters/chap90-05.pdf>

7. Most recent UIS available data for the gross enrollment rates is as follows

%	Pre-primary education (2021)	Primary education (2021)	Secondary education (2021)	Tertiary education
Girls/Female	66	90	85	<i>No recent data</i>
Boys/Male	66	95	89	<i>No recent data</i>
Total	66	92	87	<i>No recent data</i>

Investment in education:

8. According to UIS data, in 2022, the government expenditure on education as a percentage of GDP was 5.1%, and 6.4% of the total government expenditure.

**B. RIGHT TO FREEDOM OF OPINION AND EXPRESSION AND RIGHT TO INFORMATION**

Constitutional and Legislative Framework:

9. Articles 1 and 10 of the Constitution of Dominica (2014) guarantee freedom of conscience, of expression and of assembly and association, including freedom to hold and receive opinions without interference, and freedom to communicate ideas and information.<sup>9</sup>

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<sup>9</sup> [https://www.constituteproject.org/constitution/Dominica\\_2014](https://www.constituteproject.org/constitution/Dominica_2014)

10. Defamation is a criminal offence under the Libel and Slander Act (1876, amended in 1979), punishable by a fine and prison term of up to three years.<sup>10</sup> Defamation by the press is regulated in the Seditious and Undesirable Publications Act (1968), which carries punishment of a fine and imprisonment of up to six months.<sup>11</sup>

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

### Implementation of Legislation

12. The Broadcasting Authority established by the Broadcasting Authority Act for the Commonwealth of Dominica regulates and licenses the broadcasting sector in Dominica.

### Safety of journalists

13. UNESCO recorded no killing of journalists in Dominica since 2006, when systematic reporting began.

## **C. THE RIGHT TO SHARE IN SCIENTIFIC AND ADVANCEMENT AND IT'S BENEFITS: FREEDOM AND SAFETY OF SCIENTISTS**

14. Constitution of Dominica 1978 (rev 2014) has no provisions regarding the right to science.<sup>12</sup>

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<sup>10</sup> <http://www.dominica.gov.dm/laws/chapters/chap7-04.pdf>

<sup>11</sup> <http://www.dominica.gov.dm/laws/chapters/chap10-03.pdf>

<sup>12</sup> [https://www.constituteproject.org/constitution/Dominica\\_2014](https://www.constituteproject.org/constitution/Dominica_2014)

### **III. RECOMMENDATIONS**

#### **A. RIGHT TO EDUCATION**

15. Dominica should be encouraged to: Enshrine the right to education without discrimination in the Constitution and the law.
16. Amend the legislation to make sure that at least 12 years of education are free.
17. Remove exceptions to the age of marriage.
18. Prohibit corporal punishments in all educational settings.
19. Amend the legislation to harmonize the legal age of work across the various acts and ensure it is aligned with the end of compulsory education.
20. Increase efforts to improve enrollments levels, especially in pre-primary education and secondary education.
21. Ensure regular reporting to UIS on education data, especially regarding tertiary education.
22. Regularly submit comprehensive national reports for the periodic consultations on UNESCO's education-related standard-setting instruments, and notably for the ongoing 11th consultation on the Convention against Discrimination in

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23. Share with UNESCO any relevant information to update its country profile on UNESCO's Observatory on the Right to Education<sup>13</sup> and Her Atlas<sup>14</sup>.

### **B. RIGHT TO FREEDOM OF OPINION AND EXPRESSION AND RIGHT TO INFORMATION**

24. Dominica is encouraged to decriminalize defamation and place it under the civil code in accordance with international standards
25. Dominica is encouraged to introduce a freedom of information law and establish an independent oversight institution with the capacity to implement the access to information law, in accordance with international standards and to ensure progress on the Sustainable Development Goal 16.10 concerning public access to information and fundamental freedoms.

### **B. RIGHT FREELY TO PARTICIPATE IN THE CULTURAL LIFE OF THE COMMUNITY (CULTURAL RIGHTS)**

26. As a State Party to the Convention concerning the Protection of the World Cultural and Natural Heritage (1972), the Convention for the Safeguarding of the Intangible Cultural Heritage (2003) and the Convention on the Protection and Promotion of the Diversity of Cultural Expressions (2005), **Dominica** is

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<sup>13</sup> <http://www.unesco.org/education/edurights/index.php?action=countries&lng=en>

<sup>14</sup> <https://en.unesco.org/education/girls-women-rights>



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, **Dominica** is encouraged to give due consideration to the participation of communities, practitioners, cultural actors and NGOs from 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. THE RIGHT TO SHARE IN SCIENTIFIC AND ADVANCEMENT AND ITS BENEFITS: FREEDOM AND SAFETY OF SCIENTISTS**

27. Dominica did not submit its national report on the implementation of the 2017 Recommendation on Science and Scientific Researchers (thereafter 2017 Recommendation) for the consultation period from 2017 to 2021. Dominica is invited to upscale efforts to ensure the full and comprehensive implementation and monitoring of the 2017 Recommendation in accordance with the relevant decision of UNESCO's Executive Board (216 EX/Decision 45 of May 2023).

Furthermore, Dominica is invited to engage in UNESCO's Program on the promotion of scientific freedom and the safety of scientists and support the related Call to Action in line with the 2017 Recommendation and decisions of UNESCO's General Conference (42 C/Resolution 26 of November 2023) and Executive Board (219 EX/Decision 30 of March 2024). Grounded in the 2017 Recommendation, the Call to Action underlines the need to protect science and scientific researchers, to allow for a free and safe science ecosystem where there is trust in science, and scientific evidence informs decision making. It further emphasizes the need for well-resourced policies dedicated to this agenda, for data collection and analysis of both determinants and trends, and for attention to be paid in emergencies and conflict situations. It also urges to enhance awareness, education, advocacy, and international and multistakeholder cooperation in relation to the protection of science and scientific research.

28. Mindful of this, Dominica is encouraged to report to UNESCO in the context of the second consultation concerning the 2017 Recommendation scheduled for 2024 on its implementation actions, especially legislative or other measures to ensure uptake of these norms and standards in national law, policy and practice. Particular attention should be paid in the national report to the legal provisions and regulatory frameworks which ensure the implementation of human rights of

scientific researchers themselves (rights of association, freedom of research, expression and publication, equal opportunities and treatment, including for girls and women pursuing a scientific career, etc.) and human rights obligations related to the practice of science generally: the human rights related to access to and uses of scientific knowledge through education; the sharing of benefits of scientific progress and its applications with emphasis on non-discrimination and inclusion; protection for the rights of human subjects of research; and promotion of the science society interface.

29. UNESCO stands ready to support Dominica develop and nurture its science ecosystem, and the protection of their science and scientific researchers, in line with the abovementioned Recommendation. Dominica is invited to reach out to the UNESCO Secretariat for that purpose.

30. Finally, Dominica is encouraged to expand input on issues covered by the 2017 Recommendation in its national report to the UPR – particularly providing information about the implementation of constitutional provisions and national legislation on the right to science and scientific freedom – to allow further discussions thereon at the Human Rights Council and the formulation of specific recommendations. Within this framework, Dominica is urged to consider

expanding the scope of application of freedom of expression to include scientists and scientific researchers and also to address the relevant dimensions of the right to science in its reporting on the impact of the COVID-19 pandemic and the assessment of responses thereto.