

# Freedom in the World 2023



## header1 Overview

Dominica is a parliamentary democracy and has been governed by the Dominica Labor Party (DLP) since 2000. While the country is committed to democratic governance and civil liberties are generally upheld, several concerns persist; these include effective management of elections, judicial efficiency, and government corruption—notably relating to the country's Citizenship by Investment (CBI) program.

## header2 Key Developments in 2022

- In November, Prime Minister Roosevelt Skerrit called for snap general elections. The snap elections were held in December, and saw a historically low voter turnout of just 31.6 percent; Dominica's main opposition parties, the United Workers' Party (UWP) and

the Dominica Freedom Party (DFP), boycotted the elections, citing the government's failure to make progress on enacting promised electoral reforms.

- The ruling DLP controlled 19 of the 21 seats in the legislature after the December elections, including 6 seats won in November because DLP candidates had run uncontested. Independent candidates took the remaining 2 seats.
- In July, the Caribbean Court of Justice (CCJ) dismissed a case by the opposition UWP challenging the results of the 2019 general election. However, the CCJ remarked that "areas of grave concern" remained about the conduct of the elections; the DLP called the court's remarks gratuitous, and criticized the CCJ's comments for "causing unnecessary discord" in the country.

## PR Political Rights

### A Electoral Process

A1 1.00-4.00 pts0-4 pts

Was the current head of government or other chief national authority elected through free and fair elections?

4.004  
4.004

The president, who is the ceremonial head of state, is nominated by the prime minister and opposition leader and elected by the House of Assembly for a five-year term. The prime minister is head of government and is appointed by the president.

The leader of the ruling DLP, Roosevelt Skerrit, retained his position as prime minister after his party won most of the parliamentary seats in the December 2022 snap general election. Despite the poll's overall credibility, the election was marred by low voter turnout amid an opposition-led boycott over an alleged lack of progress on electoral reform.

In October 2018, the government reelected former security minister Charles Savarin as president.  
A2 1.00-4.00 pts0-4 pts

Were the current national legislative representatives elected through free and fair elections?

4.004  
4.004

Dominica's unicameral House of Assembly consists of 30 members who serve five-year terms; 21 members are directly elected, 5 senators are appointed by the prime minister, and 4 are appointed by the opposition leader. There are two ex officio members: the House speaker and the clerk of the House.

In November 2022, Prime Minister Skerrit called for snap general elections to be held that December. The DLP won 19 seats in the 2022 general elections, while independents captured 2. The elections were considered peaceful and orderly by election monitors. However, two leading opposition parties, the United Workers' Party (UWP) and the Dominica Freedom Party (DFP), along with the smaller Alternative Peoples' Party (APP), boycotted the elections, citing the government's failure to make progress on enacting electoral reforms. DLP candidates ran uncontested for six seats, resulting in those seats being allocated to the party in late November, ahead of the December elections. Both the boycott and the DLP's uncontested victories may have contributed to a historically low 31.6 percent voter turnout for the December elections.

A3 1.00-4.00 pts0-4 pts

Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies?	3.003
	4.004

The Electoral Commission manages and organizes the election process, and the electoral laws are generally fair. However, concerns persist. Both the opposition and members of the Dominican diaspora have campaigned for electoral reforms, such as updating voter rolls and issuing voter identification cards.

After the 2019 polls, the Organization of American States (OAS) recommended a series of changes, including issuing photo identification cards to voters, introducing an electronic voting system, undertaking a voter-list review, and introducing party and campaign finance legislation. Despite the DLP government's repeated promises to enact such reforms, no changes were made in 2022.

In late December 2019, the opposition challenged the results of that year's elections in 10 constituencies, alleging they were affected by fraud and bribery. In July 2022, the Caribbean Court of Justice (CCJ) dismissed the case. However, the CCJ noted that "areas of grave concern" about the conduct of the 2019 elections remained, and should be addressed before the country's future elections. The DLP criticized the CCJ's comments, calling the remarks gratuitous and saying that they had sown discord in Dominica.

## B Political Pluralism and Participation

B1 1.00-4.00 pts0-4 pts

Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings?	4.004
	4.004

Political parties are free to organize and operate. The effects of the country's first-past-the-post electoral system has entrenched two-party politics.

B2 1.00-4.00 pts0-4 pts

Is there a realistic opportunity for the opposition to increase its support or gain power through elections?	4.004
	4.004

Opposition parties are unencumbered by formal restrictions and are generally free to operate. There has not been a change of party in government since 2000, mostly due to the weakness of the opposition.

B3 1.00-4.00 pts0-4 pts

Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means?	4.004
	4.004

Voters and candidates are generally able to express their political choices without undue influence from actors that are not democratically accountable.

B4 1.00-4.00 pts0-4 pts

Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities?	4.004
	4.004

All adult citizens may vote. Women are underrepresented in politics generally. Out of 45 candidates in the 2022 elections, 15 were women, and 10 won seats—an improvement from the 2019 elections. Newly elected independent legislator Jesma Paul was sworn in as leader of the opposition in December.

The Indigenous Carib-Kalinago population participates in the political process, with members generally supporting one of the two major political parties. LGBT+ people face discrimination and are marginalized, impacting their ability to engage fully in political processes.

## C Functioning of Government

C1 1.00-4.00 pts0-4 pts

Do the freely elected head of government and national legislative representatives determine the policies of the government?	4.004 4.004
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The freely elected prime minister, cabinet, and national legislative representatives determine the policies of the government.

C2 1.00-4.00 pts0-4 pts

Are safeguards against official corruption strong and effective?	3.003 4.004
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While the government generally implements anticorruption laws effectively, domestic and international observers have raised concerns over corruption within Dominica's Citizenship by Investment (CBI) program, which allows foreigners to gain citizenship through an economic investment in the country. In 2021, the US State Department said in its *International Narcotics Control Strategy Report* that "Dominica accepts a large number of applicants and sometimes issues passports despite adverse information on applicants uncovered during the vetting process."

In 2019, Al Jazeera published a story claiming that Dominican officials from both major parties, including Skerrit, were willing to receive money in return for political appointments.

C3 1.00-4.00 pts0-4 pts

Does the government operate with openness and transparency?	3.003 4.004
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The government of Dominica generally operates with openness and transparency, though there are concerns that the long-incumbent DLP has been less forthcoming in recent years with information on some programs, including CBI. Government officials are required to submit financial accounts, but these accounts are frequently incomplete. Access to information is not protected by law.

## CL Civil Liberties

### D Freedom of Expression and Belief

D1 1.00-4.00 pts0-4 pts

Are there free and independent media?	3.003 4.004
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Freedom of expression is constitutionally guaranteed, and the press is generally free in practice. However, defamation remains a criminal offense punishable by imprisonment or fines. Defamation

lawsuits and threats of lawsuits are commonly used by the Skerrit government against members of the media, resulting in some self-censorship. In July 2022, the CCJ alleged that the opposition's access to some state-owned media, including the national radio station, has been restricted.

D2 1.00-4.00 pts0-4 pts

Are individuals free to practice and express their religious faith or nonbelief in public and private?

4.004

4.004

Freedom of religion is protected under the constitution and other laws and is generally respected in practice.

D3 1.00-4.00 pts0-4 pts

Is there academic freedom, and is the educational system free from extensive political indoctrination?

4.004

4.004

Academic freedom is generally respected.

D4 1.00-4.00 pts0-4 pts

Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution?

4.004

4.004

Individuals are generally free to express their personal views on political or other sensitive topics.

## **E Associational and Organizational Rights**

E1 1.00-4.00 pts0-4 pts

Is there freedom of assembly?

3.003 4.004

Freedom of assembly is guaranteed under the constitution, and the government has generally respected these rights. However, protests sometimes become violent, or give way to looting or acts of vandalism.

Some unrest took place at opposition protests in 2017, and Prime Minister Skerrit characterized them as threats to state security. Later, several UWP members, including leader Lennox Linton, were charged with incitement and obstruction. The trials were still ongoing as of December 2022.

In March 2022, social activist Atherton Martin began leading weekly walks for "peace, justice, and prosperity in Dominica" in the capital, Roseau. Martin did not seek permission for the walks, as he claimed they were not public processions and therefore did not require official approval. In May, ten participants in the walks, including UWP leader Linton, were charged for participating in unapproved protests.

E2 1.00-4.00 pts0-4 pts

Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work?

4.004

4.004

Nongovernmental organizations (NGOs) and advocacy groups generally operate without interference.

E3 1.00-4.00 pts0-4 pts

Is there freedom for trade unions and similar professional or labor organizations? | 4.004 4.004

Workers have the right to organize, strike, and bargain collectively, and laws prohibit antiunion discrimination by employers. However, the country's definition of "essential" workers is broad, extending to those in the agricultural sector, and there are burdensome restrictions on the ability of these workers to strike.

## F Rule of Law

F1 1.00-4.00 pts0-4 pts

Is there an independent judiciary? | 4.004 4.004

An independent judiciary is provided for in the constitution, and judicial independence is generally respected. Courts are subordinate to the interisland Eastern Caribbean Supreme Court (ECSC) and the CCJ.

F2 1.00-4.00 pts0-4 pts

Does due process prevail in civil and criminal matters? | 4.004 4.004

The constitution provides for due process rights, and these are generally observed in practice. While the judicial system generally operates efficiently, staffing shortages remain a problem and can result in prolonged pretrial detention.

F3 1.00-4.00 pts0-4 pts

Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? | 4.004  
4.004

People in Dominica generally enjoy freedom from illegitimate force.

F4 1.00-4.00 pts0-4 pts

Do laws, policies, and practices guarantee equal treatment of various segments of the population? | 3.003  
4.004

Women's rights are not fully protected. Laws on sexual harassment are weak. Cases of rape are underreported, with significant stigma attached to the crime and little support available for victims.

Same-sex sexual relations are illegal, though the relevant provisions of the Sexual Offences Act are not enforced, a position that has been made clear by Prime Minister Skerrit. In September 2022, the country's High Court heard a constitutional challenge to two sections of the Sexual Offences Act that outlaw consensual same-sex relations. A ruling on the challenge had not been issued by year's end.

Members of the small Indigenous population, the Carib-Kalinago, face discrimination and a variety of accompanying challenges, including high poverty levels and difficulties in obtaining loans from banks. Rastafarians have reported discrimination and profiling by police.

## G Personal Autonomy and Individual Rights

G1 1.00-4.00 pts0-4 pts

Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education?	4.004
	4.004

Individuals in Dominica generally enjoy freedom of movement, though those outside the established Carib-Kalinago community must apply for special access to the Carib Reserve area, which is granted by the Carib Council. There are no restrictions on people's ability to change their place of employment or education.

G2 1.00-4.00 pts0-4 pts

Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors?	4.004
	4.004

The government of Dominica supports both domestic and foreign investment. Property rights are generally safeguarded. However, women have more limited rights because property is traditionally deeded to the head of household, who is usually a man.

G3 1.00-4.00 pts0-4 pts

Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance?	3.003
	4.004

Women and children have some limitations on their personal freedoms, including freedom from violence. There is little protection against domestic abuse, and both violence against women and child abuse remain widespread problems.

G4 1.00-4.00 pts0-4 pts

Do individuals enjoy equality of opportunity and freedom from economic exploitation?	4.004
	4.004

Revisions to labor laws have strengthened worker protections in recent years, though violations of overtime laws in the tourism sector have occurred. The labor commissioner operates within the Justice Department and is underresourced. The government has made efforts to address poverty and unemployment, including in the wake of Hurricane Maria, which devastated the island in 2017. In September 2021, the government implemented minimum-wage increases.

In its 2021 *Findings on the Worst Forms of Child Labor* report, the most recent available, the US Labor Department found no evidence of child labor in Dominica but warned that the government had only made "minimal advancement" in efforts to prevent the practice. Carib-Kalinago children face barriers to education, making them more vulnerable.