

**Presentation of Daryl Phillip, of the Commonwealth of Dominica**  
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**darylphillip@hotrmil.com**

Your Excellences, Ladies and Gentlemen, My name is Daryl Phillip, president of the group Minority Rights Dominica, (MiRiDom), from the Commonwealth of Dominica in the Eastern Caribbean. I wish to start by expressing my appreciation, to the UPR Pre-session team for inviting me here. Today my presentation will address LGBTQI rights, civil and political rights and the establishment of a National Human Rights Institution.

In previous cycles, Dominica received 36 recommendations on sexual orientation and gender identity. These recommendations have all been noted.

Since the last review, on 22<sup>nd</sup> April 2024, we welcome the repeal of the laws that made same sex, sexual activity illegal in Dominica, by the Eastern Caribbean Court of Justice. However, **the LGBTQI community continues to face challenges of intolerance, threats, discrimination, bullying, taunting, including claims by the Minister of Legal Affairs, that these anti sodomy laws are still in effect.**

Ref: [https://www.youtube.com/watch?v=y3iAZM\\_DA5E](https://www.youtube.com/watch?v=y3iAZM_DA5E) mark 22:30

Ref: [https://www.humandignitytrust.org/wp-content/uploads/resources/JUDGMENT-DOMHCV2019.0149-BG-V-THE-AG.pdf?fbclid=IwY2xjawEUPURleHRuA2FlbQIxMQABHaNNEtjr3W4hqv7raDc-8YMnwd12OJYZkhCfhhb1nw46CM5ILPqS9Bd5hA\\_aem\\_RqPefm6HMVSkdxVqWASo5g\\_Sec; 19-23](https://www.humandignitytrust.org/wp-content/uploads/resources/JUDGMENT-DOMHCV2019.0149-BG-V-THE-AG.pdf?fbclid=IwY2xjawEUPURleHRuA2FlbQIxMQABHaNNEtjr3W4hqv7raDc-8YMnwd12OJYZkhCfhhb1nw46CM5ILPqS9Bd5hA_aem_RqPefm6HMVSkdxVqWASo5g_Sec; 19-23)

The full respect, and protection, of the human rights of the people of Dominica remain excessively compromised. There is an urgent need, for an officially recognized, independent, National Human Rights Institution, to serve not only the needs of the LGBTQI community, but also to address a range of other human rights concerns.

**Regarding civil and political rights**, I will first address the situation of elections in the country.

In previous UPR cycles, Dominica did not receive any recommendations concerning the country's elections.

For over 20 years, there has been talk of electoral reforms to make the process freer, fairer and more credible. Indeed, the current system presents a number of problems, particularly in relation to electoral lists. Dominica has a population of around 70,000, while the list of electors contains 74,000, including those who have died and others who have not declared themselves as electors. This raises questions about the legitimacy and transparency of the process. Citizens who do not reside on the island for over five years, are flown in to vote, voting takes place without producing proof of identity, there is a reluctance to cleanse the voter registration list.

Ref: <https://sundominica.com/articles/electoral-reform-in-dominica-is-like-a-wheel-withi-6633/>

Ref: <https://dominicanewsonline.com/news/homepage/news/press-statement-electoral-reform-coalition-on-pm-skerrits-comments-after-erc-event/>

Ref: <https://dominicanewsonline.com/news/homepage/news/pm-to-meet-with-electoral-reform-coalition-says-fontaine/>

Ref: <https://dominicanewsonline.com/news/governance/uwp-leader-cleanse-voters-list-implement-changes-to-realise-electoral-reform/>

Ref: <https://dominicanewsonline.com/news/homepage/homepage-carousel/pm-skerrit-going-with-electoral-reform-full-blast-parliament-to-pass-legislation-soon/>

It is important to note that in December 2022, the country held elections without any electoral reform, while a few months earlier, in June 2022, the Caribbean Court of Justice, recommended

that, “Future elections in Dominica ought not to proceed with these or similar taints”. Ref: *Strengthening Democracy Through Consensus, sec.108, , Page 50, Final Thoughts.*

I would now like to address the issue of due diligence and accountability in Dominica. There is an unwillingness of the government to answer questions, or account for the financial and material resources of the state. Few opportunities exists to hold the government to account.

The main income earner for the Government, has become the Citizens By Investment program or the sale of citizenship. Lists of individuals who have acquired citizenship are no longer published in the Official Gazette, the money collected from this program is not paid into the National Treasury. The Result: incomplete public accountability of the program. Ref: *Budget Response 2019/2020 (Lennox Linton) pg; 47-50*

Members of the opposition party in parliament, frequently try to address this problem, of transparency and accountability, by asking questions about the use of these funds. However they are systematically blocked by the Speaker, on the premise that the questions are not properly presented, and so, the questions remain unanswered.

Ref: <https://dominicanewsonline.com/news/homepage/news/politics/uwps-questions-motions-denied-from-first-sitting-of-parliament/>

Ref: <https://dominicanewsonline.com/news/homepage/news/politics/uwp-house-speaker-clash-over-questions-in-the-house/>

Ref: <https://dominicanewsonline.com/news/homepage/news/politics/uwp-attends-parliament-but/>

**Regarding the justice system**, Dominica received no recommendations on its functioning, during previous cycles. The justice system in Dominica works in a manner of a random denial of due process. People charged with treason, and incitement, are still awaiting trial, seven years later. People are held on remand for years without a court hearing. Ref:<https://natureisle.news/crime/there-are-weaknesses-that-need-to-be-cured-in-dominicas-judicial-system-says-high-court-judge-amid-calls-for-remedial-action/>

Finally, I would like to address the issue of the proposed **National Human Rights Institution for Dominica**. Since the first cycle, Dominica received 20 recommendations calling for the establishment of this organization, out of which 9 were supported and 11 noted. Moreover, during the 3rd cycle, all the recommendations regarding the creation of a National Human Rights Institution were noted. To date, no National Human Rights Institution has been established, on the pretext that the government lacks resources. The establishment of this organization, in line with the Paris principles, is important, and necessary, for the maintenance of just and fair governance on the island of Dominica.

Recommendations to the Government of Dominica:

- 1) To commit to a policy that would encourage the inclusion of the LGBTQI in the Dominican society, where they would live a life that be free from discrimination and encourage their total inclusion in the society, with equal rights just as all other citizens of Dominica.
- 2) To commit to electoral reform before the next general election, and ensuring that that:
  - a. The Voter Electoral List is cleansed and updated.
  - b. There is voter identification every voter which will include;
  - c. Citizenship:
  - d. the name:
  - e. residence:
  - f. Biometrics (finger print etc.):
  - g. Voter registration number:

- 3) To report on a quarterly basis (every three months) on the Citizenship by Investment Program, stating all information concerning the amount of Dominican passports processed and the amount of money collected, and that all the money is deposited in the Consolidated Fund of the Treasury of the Government of Dominica.
- 4) To Commit to commit to a National Human Rights Council in the Commonwealth of Dominica that would be in keeping with the United Nations Paris Principles.

**I thank you for listening to my presentation, and I look forward to answering any questions seeking clarity of this presentation. END.**