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Summary of stakeholders' submissions on Saint Kitts and Nevis*

Report of the Office of the United Nations High Commissioner for Human Rights

I. Background

1. The present report was prepared pursuant to Human Rights Council resolutions 5/1 and 16/21, taking into consideration the periodicity of the universal periodic review and the outcome of the previous review.¹ It is a summary of 7 stakeholders' submissions² for the universal periodic review, presented in a summarized manner owing to word-limit constraints.

II. Information provided by stakeholders

A. Scope of international obligations³ and cooperation with human rights mechanisms

2. Joint Submission 1 recommended that Saint Kitts and Nevis sign and ratify the International Covenant on Civil and Political Rights (ICCPR) and its Second Optional Protocol.⁴

3. The Center for Global Nonkilling recommended the urgent ratification of the Convention on the Prevention and the Punishment of the Crime of Genocide, the ratifications of the Covenant on Civil and Political Rights, the Convention on enforced disappearances and the Convention on Migrant workers, and their protocols.⁵

4. The Center for Global Nonkilling encouraged Saint Kitts and Nevis to continue its efforts to strengthen its treaty bodies reporting processes, and to issue a standing invitation for Special Procedure visits.⁶

* The present document is being issued without formal editing.



B. National human rights framework

Constitutional and legislative framework

5. UNITE FOR RIGHTS recommended that Saint Kitts and Nevis should ensure that the legacy of the Universal Declaration of Human Rights (UDHR), including its plan for human rights, be systematically embedded in national education standards, including national curriculum, particularly in civics, history, and social studies, and updated to reflect contemporary issues within Saint Kitts and Nevis.⁷

6. UNITE FOR RIGHTS added that Saint Kitts and Nevis should expand targeted outreach programs and culturally relevant materials to raise awareness about the UDHR among Indigenous peoples, youth, and marginalized groups, in partnership with local leaders and communities to discuss human rights abuses and how having the rights in UDHR enforceable in regional courts could help reduce these abuses.⁸

7. They stressed that Saint Kitts and Nevis should increase funding and long-term support for civil society organizations specifically dedicated to delivering human rights education on the UDHR, especially those working with vulnerable populations and in remote areas.⁹

C. Promotion and protection of human rights

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

Equality and non-discrimination

8. Joint Submission 2 informed that the 2025 report commissioned by ECADE on Police Interaction with LGBTQ+ Persons in the Eastern Caribbean strongly recommended the implementation of non-discrimination policies within police forces to ensure fair treatment for all citizens. However, much work remained to be done to address years of violence, discrimination and exclusion enacted against LGBTQI+ people with impunity.¹⁰

9. Joint Submission 2 reported that in the preceding Universal Periodic Review, Saint Kitts and Nevis had received recommendations to enact comprehensive anti-discrimination legislation, with a view to expressly prohibit discrimination on the grounds of sexual orientation and gender identity, as required by its obligations under international law.¹¹

10. To date Saint Kitts and Nevis had not implemented comprehensive anti-discrimination legislation prohibiting discrimination on the basis of sexual orientation and gender identity, despite the 2022 decriminalization judgement removing any potential legal barrier to same.¹²

11. Joint Submission 2 recommended adopting a comprehensive anti-discrimination legislation that prohibits discrimination on the basis of sexual orientation and gender identity in all areas of life, including but not limited to employment, education, provision of goods and services and accommodation. Joint Submission 2 advised to implement mandatory training programs for public officials, law enforcement, judiciary, healthcare providers and educators on sexual orientation and gender equality principles and the application of an anti-discrimination legislation.¹³

Right to life, liberty and security of person, and freedom from torture

12. The Center for Global Nonkilling noted that the Constitution still contained the death penalty. The Center recommended a public debate to change the Constitution, to value life and participation therein, and to abolish the death penalty. The Center recommended to the Government to vote in favor of (or to abstain to) the Biennial Resolution of the General Assembly of the United Nations on the abolition of the death penalty.¹⁴

13. Joint Submission 1 strongly advocated for the abolition of death penalty to replace it with penalties that are fair, proportionate, and consistent with international human rights

standards. In the interim, they advised an immediate, formal moratorium on the imposition of death sentences in all criminal cases moving forward.¹⁵

14. Joint Submission 1 encouraged the government to invite independent observers to conduct credible investigations into any allegations of mistreatment, torture, or other improper conduct in detention facilities and to publish the results of such investigations.¹⁶

15. Joint Submission 1 urged to take steps to promote public discourse regarding alternatives to the death penalty and research regarding effective means of deterring violent crime in collaboration with the civil society. Joint Submission 1 asked to ensure that any person at risk of being sentenced to death receives competent counsel from the time of arrest throughout? including any appeals or petitions for mercy and that state funds are released for evidence-gathering efforts for the defense. Finally, they advised to establish a mechanism to automatically commute the death sentence of any person who has been on death row for five years, consistent with the Pratt and Morgan decision.¹⁷

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

16. Joint Submission 1 requested to take the necessary steps to improve prison conditions by reducing overcrowding, by expanding programs to promote early release and minimizing pretrial detention. They urged to ensure that any educational or vocational programming in detention facilities is available to all persons in detention, regardless of their sentence and that all detention conditions comply with the Nelson Mandela rules.¹⁸

17. Joint Submission 1 encouraged to publish data about all persons charged with or tried for capital crimes, disaggregated by charged offenses, age at the time of the offense, sex/gender, nationality, occupation at the time of offense, name of legal counsel and source of funding, relationship to any victims or co-defendants, status of the case and any appeals or petitions for mercy, and current location.¹⁹

Right to health

18. ECLJ urged Saint Kitts and Nevis to uphold and protect the lives of all its citizens, including preborn babies. It encouraged Saint Kitts and Nevis to continue protecting all human life, regardless of what stage of life.

2. Rights of specific persons or groups

Women

19. The International Centre for Advocates Against Discrimination (ICAAD) stressed that Saint Kitts and Nevis was a participant and a member of several international treaties, organisations and projects to further gender equality and promote economic, social, cultural and political empowerment of women.²⁰

20. ICAAD added that these efforts include participation in the 2030 Agenda for Sustainable Development, the Beijing Declaration and Platform for Action, the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW), and the Inter-American Convention on the Prevention, Punishment and Eradication of Violence Against Women. As a party to these efforts, Saint Kitts and Nevis had to report on Icaaad on efforts on gender achievement targets.²¹

21. ICAAD reported that in the Saint Kitts and Nevis justice system, the legal framework which provided protection from Gender Base Violence included the Constitution, Acts of Parliament, and rules from the common law.²²

22. In this regard, Saint Kitts and Nevis had taken some positive steps in recent years, such as revisions to the Domestic Violence Act (2000) to include a definition of domestic violence.²³

23. ICAAD acknowledged that the Offences Against the Person Act and Criminal Law Amendment Act (CLAA) both governed sexual offences in the country. While the law classified rape, sexual violence and incest as an offence, there was no definition of, or penalty for, marital rape.²⁴

24. The CLAA also provided for specific procedural rules including jury instructions permitting the dismissal of felony rape in favour of a lesser crime.²⁵

25. Additionally, ICAAD informed that the Government made available a legal aid and advice centre to all individuals who cannot afford an attorney in private practice, with an emphasis on serving women, the elderly, and youths. However, this service was not *prima facie* 'free', noting that a reasonable fee will be charged for the service provided. This fee will only be waived if the applicant cannot afford to pay.²⁶

26. Notwithstanding the above, there was an absence of a provision in the Criminal Code which specifically criminalises Gender Based Violence (GBV) against women, nor any other comprehensive legislative prohibitions against all forms of GBV. The UN's Committee on the Elimination of All Forms of Discrimination Against Women, which monitored the implementation of the CEDAW, had made strong recommendations to pass this legislation, as well as more broadly encouraging reporting of all forms of Gender Based Violence, described further below.²⁷

27. ICAAD recommended to undertake consistent and comprehensive reporting of gender equality metrics, including rates of women in literacy, labour force participation, business ownership, home ownership and employment in middle and senior management. This was most logically addressed through collecting information by way of annual census and then taking steps to ensure that census data was published via official means on an annual basis.²⁸

28. ICAAD encouraged initiatives to entrench gender-centric education at all stages of public education and take steps to ensure the success of these initiatives are measurable. This may include requiring students to compulsorily undertake assessments on an annual basis which tests gender literacy and awareness of global standards of gender equality.²⁹

29. It urged the establishment of efficient and appropriate procedures for confidential reporting of GBV, such as a State-run toll-free hotline, or establishing "satellite" discrete reporting locations for individuals who may want to report GBV in-person, but do not wish to present directly to the police, as well as free State-run emergency shelter for victims and their children or dependants of all GBV.³⁰

30. ICAAD highlighted that Saint Kitts and Nevis had made significant efforts in improving justice sector service delivery for combating GBV and taking steps to improve gender equality more broadly. Despite this, it is clear there remains room for improvement to more closely align with expected international standards and obligations.³¹

Lesbian, gay, bisexual, transgender and intersex persons

31. The Advocates for Human Rights, recommended to adopt comprehensive anti-discrimination legislation that explicitly prohibits discrimination by State and non-State actors on the grounds of sexual orientation, gender identity, gender expression, and sex characteristics in all areas of life, including employment, education, housing, healthcare, and access to goods and services.³²

32. They suggested to amend the Constitution of Saint Kitts and Nevis to include sexual orientation, gender identity, gender expression, and sex characteristics as protected categories, ensuring that LGBTIQ+ individuals are constitutionally protected from discrimination and can seek effective remedies and adopt legislation permitting same-sex marriage.³³

33. The Advocates for Human Rights encouraged collaboration with LGBTIQ+ civil society organizations, to draft and enact legislation that bans non-medically necessary surgeries or medical interventions on intersex infants.³⁴

34. They stressed that in collaboration with LGBTIQ+ civil society organizations, Saint Kitts and Nevis should develop, implement and report on the use of public education and anti-stigma campaigns to address homophobia, transphobia, and discrimination against LGBTIQ+ people, fostering a culture of respect and inclusion in wider society.³⁵

35. The Advocates for Human Rights promoted training for law enforcement, judiciary, and public officials on LGBTIQ+ rights and sensitivity, ensuring effective, non-

discriminatory handling of complaints and reports of violence against LGBTQ+ individuals to break the cycle of impunity.³⁶

36. They requested healthcare protections by adopting policies that prohibit discrimination based on SOGIESC within healthcare settings, training healthcare providers on LGBTQ+ sensitivity in collaboration with civil society organizations and ensure access to gender-affirming care.³⁷

37. Joint Submission 2 informed that in the 2021 Universal Periodic Review, Saint Kitts and Nevis had received several recommendations to decriminalize consensual same-sex conduct. These recommendations were not accepted. However, due to civil society action, consensual same-sex conduct was decriminalized by order of the Eastern Caribbean Supreme Court.³⁸

38. Unfortunately, this recommendation remained only partially implemented. Since 2022 the State had made very few meaningful steps to give effect to the court's decision.³⁹

39. Joint Submission 2 added that in 2022, the National Gender Equality Policy and Action Plan (GEPAP) 2022-2027 was presented by the State as a comprehensive gender equality framework. The plan identified lesbian, gay, bisexual and transgender (LGBTI) people as a special group in the national gender equality agenda. The plan set a strategic goal 'To protect the human rights of LGBTI people in the Federation to access opportunities consistent with the priority goals and strategic actions of the Gender Equality Policy.'⁴⁰

40. While these objectives were highly commendable, LGBTQ+ activists and organizations like the SKN Alliance, had seen little to no implementation of any of these strategy goals since the policy was presented in 2022. Further, little or no consultation and engagement with LGBTQ+ people or LGBTQ+ civil society groups on activities or mechanisms to implement the GEPAP objectives had taken place since the GEPAP's introduction.⁴¹

41. Joint Submission 2 referred to a 2025 report on Police Interaction with LGBTQ+ Persons in the Eastern Caribbean conducted by the Eastern Caribbean Alliance for Equality and Diversity (ECADE) and Caribbean Development Research Services (CADRES), *where* LGBTQ+ respondents from Saint Kitts and Nevis reported mistrust and avoidance of law enforcement. Respondents noted that officers often did not follow up on reports or would completely ignore complaints from LGBTQ+ people.⁴²

42. Respondents also indicated that police reports involving LGBTQI+ people were unjustifiably dismissed, or the credibility of complainants unjustifiably questioned. This was in blatant contravention of their constitutional right to equality before the law and the equal protection of the law per Section 3 (a) of the Constitution of St. Kitts and Nevis. It also breached their right to equal protection of the law without any discrimination, per Article 7 of the Universal Declaration of Human Rights.⁴³

Notes

¹ A/HRC/47/7, A/HRC/47/7/Add.1, and A/HRC/47/2.

² The stakeholders listed below have contributed information for this summary; the full texts of all original submissions are available at: www.ohchr.org (one asterisk denotes a national human rights institution with A status).

Civil society

Individual submissions:

AHR	Advocates for Human Rights, Minneapolis (United States of America);
CGNK	Center for Global Nonkilling, 1218 Grand-Saconnex (Switzerland);
ECLJ	European Centre for Law and Justice, The, Strasbourg (France);
ICAAD NGO	ICAAD, Chappaqua (United States of America);
Unite for Rights	Unite for Rights, San Francisco (United States of America).

Joint submissions:

- JS1 **Joint submission 1 submitted by:** Advocates for Human Rights, Minneapolis (United States of America); World Coalition Against the Death Penalty;
- JS2 **Joint submission 2 submitted by:** Eastern Caribbean Alliance for Diversity and Equality, Castries (Saint Lucia); The Eastern Caribbean Alliance for Diversity and Equality (ECADE) is an independent umbrella of human rights organisations operating in the small islands in the eastern Caribbean from the Virgin Islands to Grenada. The Alliance’s core membership comprises organisations representing the lesbian, gay, bisexual, transgender and queer community in the sub-region. ECADE currently serves seventeen full and fourteen associate member organisations in nine countries. The Saint Kitts and Nevis Alliance for Equality (SKN Alliance) is a community-based organisation dedicated to supporting the LGBTQ+ community in Saint Kitts and Nevis. They provide a safe space and offer advocacy, self-empowerment, human rights promotion, and training services.

³ The following abbreviations are used in UPR documents:

ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
ICESCR	International Covenant on Economic, Social and Cultural Rights
OP-ICESCR	Optional Protocol to ICESCR
ICCPR	International Covenant on Civil and Political Rights
ICCPR-OP 1	Optional Protocol to ICCPR
ICCPR-OP 2	Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
OP-CEDAW	Optional Protocol to CEDAW
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
OP-CAT	Optional Protocol to CAT
CRC	Convention on the Rights of the Child
OP-CRC-AC	Optional Protocol to CRC on the involvement of children in armed conflict
OP-CRC-SC	Optional Protocol to CRC on the sale of children, child prostitution and child pornography
OP-CRC-IC	Optional Protocol to CRC on a communications procedure
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
CRPD	Convention on the Rights of Persons with Disabilities
OP-CRPD	Optional Protocol to CRPD
ICPPED	International Convention for the Protection of All Persons from Enforced Disappearance

⁴ Joint Submission 1 para 13.

⁵ The Center for Global Nonkilling.

⁶ The Center for Global Nonkilling.

⁷ UNITE FOR RIGHT Submission.

⁸ UNITE FOR RIGHT Submission.

⁹ UNITE FOR RIGHT Submission.

¹⁰ Joint Submission 2 , paras 10–12.

¹¹ Joint Submission 2 , paras 10–12.

¹² Joint Submission 2 , paras 10–12.

¹³ Joint Submission 2, paras 2–7.

¹⁴ The Center for Global Nonkilling.

¹⁵ Joint Submission 1 para 13.

¹⁶ Joint Submission 1 para 13.

¹⁷ Joint Submission 1 para 13.

¹⁸ Joint Submission 1 para 13.

¹⁹ Joint Submission 1 para 13.

²⁰ ICAAD submission.

- 21 ICAAD submission.
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 - 28 ICAAD submission.
 - 29 ICAAD submission.
 - 30 ICAAD submission.
 - 31 ICAAD submission.
 - 32 The Advocates for Human Right, para 27.
 - 33 The Advocates for Human Right, para 27.
 - 34 The Advocates for Human Right, para 27.
 - 35 The Advocates for Human Right, para 27.
 - 36 The Advocates for Human Right, para 27.
 - 37 The Advocates for Human Right, para 27.
 - 38 Joint Submission 2, paras 2–7.
 - 39 Joint Submission 2, paras 2–7.
 - 40 Joint Submission 2, paras 2–7.
 - 41 Joint Submission 2, paras 2–7.
 - 42 Submission from ECLJ.
 - 43 Joint Submission 2, paras 2–7.
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