



## **Saint Kitts and Nevis**

### **Stakeholder Report for the United Nations Universal Periodic Review**

*Fourth Cycle*

**Submitted by The Eastern Caribbean Alliance for Diversity and Equality**

And

**Saint Kitts and Nevis Alliance for Equality**

for the 51<sup>st</sup> Session of the Working Group on the Universal Period Review :  
January 2026

Submitted on 17<sup>th</sup> July 2025

**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.

#### ***Introduction***

1. This submission is prepared by the Eastern Caribbean Alliance for Diversity and Equality (ECADE) and the Saint Kitts and Nevis Alliance for Equality (SKN Alliance) and addresses the State's implementation of the following recommendations:
  - a) Enforce the decriminalisation of consensual same-sex conduct.
  - b) Enact comprehensive anti-discrimination legislation to prohibit discrimination on the basis of sexual orientation and gender identity.
  - c) Improve access to inclusive and affordable healthcare.

**A. Enforce the Decriminalisation of Consensual Same-Sex Conduct - Noted, partially implemented**

2. In the 2021 Universal Periodic Review, Saint Kitts and Nevis received several recommendations<sup>1</sup> to decriminalize consensual same-sex conduct. These recommendations were not accepted. However, due to civil society action, consensual same-sex conduct was decriminalised by order of the Eastern Caribbean Supreme Court.
3. In the historic case of *Jamal Jeffers and St. Kitts and Nevis Alliance for Equality Inc v the Attorney General of St. Christopher and Nevis*, SKBHCV 2021/0013, civil society activists filed a constitutional challenge to the 'buggery' laws found in Sections 56 and 57 of the Offences Against the Person Act, Cap. 4:21. In 2022, this challenge was successful, and the laws were found to be in contravention of the constitutional rights to personal privacy and freedom of expression and were deemed null and void by the court. SKN Alliance welcomed the court's decision and Saint Kitts and Nevis joined the growing list of nations in the anglophone Caribbean to decriminalize consensual same-sex conduct in the past decade.
4. Unfortunately, this recommendation remains only partially implemented. Since 2022 the State has made very few meaningful steps to give effect to the court's decision. Recommendations including rec. 130.74 from Panama and 130.71 from Chile, called on Saint Kitts and Nevis to eliminate legal provisions punishing consensual sexual relations, harmonise national legislation in accordance with the Yogyakarta Principles and promote public policy aimed at putting an end to violence and discrimination on the grounds of sexual orientation and gender identity.
5. 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 identifies lesbian, gay, bisexual and transgender (LGBTI) people as a special group in the national gender equality agenda. The plan sets 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.' The plan identifies four objectives:
  - a. To work inclusively with the public sector, private sector and civil society to end discrimination and violence and societal intolerance against LGBTIQ people of

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<sup>1</sup> Human Rights Council, Report of the Working Group on the Universal Periodic Review, Saint Kitts and Nevis U.N. Doc. A/HRC/47/7 (January 2021), Recommendations 130.54 – 130.74

all ages.

- b. To enhance education and training on protecting individuals of all ages from homophobic and transphobic violence and on guaranteeing redress and access to justice.
  - c. To build zero-tolerance education strategies against the cruel, inhuman, and degrading treatment of LGBTIQ people of all ages.
  - d. To enhance mechanisms to safeguard freedom of expression, association, and peaceful assembly for all LGBTIQ people.
6. While these objectives are highly commendable, LGBTQ+ activists and organizations like the SKN Alliance, have 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 have taken place since the GEPAP's introduction.
7. In a 2025 report on *Police Interaction with LGBTQ+ Persons in the Eastern Caribbean*<sup>2</sup> conducted by the Eastern Caribbean Alliance for Equality and Diversity (ECADE) and Caribbean Development Research Services (CADRES), 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. Respondents also indicated that police reports involving LGBTQI+ people were unjustifiably dismissed, or the credibility of complainants unjustifiably questioned. This is 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 breaches their right to the equal protection of the law without any discrimination, per Article 7 of the Universal Declaration of Human Rights.
8. Although Sections 56 and 57 were not typically enforced in the criminal courts, their existence created a platform for discriminatory societal attitudes, acted as a barrier against the full enjoyment of fundamental rights and negatively impacted engagement between LGBTQI+ people and social service providers. These realities must be addressed.

### *Recommendations*

9. Effectively resource and implement strategic goals and objectives in the National Gender Policy and Action Plan 2022-2027 to advance and protect the rights of LGBTQ+ people and do so in consultation with relevant civil society groups.

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<sup>2</sup> T. Heron, C. Sandiford, 2025, [Police Interaction with LGBTQ+ Persons in the Eastern Caribbean](#), CADRES

**B. Enact comprehensive anti-discrimination legislation to prohibit discrimination on the basis of sexual orientation and gender identity – Noted, partially implemented**

10. In the preceding Universal Periodic Review, Saint Kitts and Nevis also received recommendations to enact comprehensive anti-discrimination legislation, with a view to expressly prohibit discrimination on the grounds of sexual orientation and gender identity<sup>3</sup>, as required by its obligations under international law<sup>4</sup>.
11. To date Saint Kitts and Nevis has not implemented comprehensive anti-discrimination legislation prohibiting discrimination on the basis of sexual orientation and gender identity, despite the 2022 decriminalisation judgement removing any potential legal barrier to same.
12. Participants in the 2025 report on police interactions<sup>5</sup> strongly recommended the implementation of non-discrimination policies within police forces to ensure fair treatment for all citizens. Much work remains to be done to address years of violence, discrimination and exclusion enacted against LGBTQI+ people with impunity prior to decriminalisation.
13. Reflecting on the past decade of working with LGBTQ+ people in the country, the SKN Alliance recommends that the State enact hate crime legislation, improve law enforcement training and encourage community-led safety initiatives. To effectively implement LGBTQI+ objectives under the GEPAP the State must invest in creating inclusive safe spaces, community centres, housing for LGBTQ+ youth and seniors and mental health crisis resources. Fact -based LGBTQ+ legislation must be incorporated into schools to foster understanding, reduce bullying, and promote acceptance.
14. The SKN Alliance affirms recommendations 130.54, 130.57 and 130.60 from the third cycle review of Saint Kitts in 2021. LGBTQ+ people require the enactment and enforcement of legal protections and anti-discrimination measure by the State. To effect its international law obligations, the State must enact comprehensive anti-discrimination laws that protect people from discrimination based on their sexual orientation and gender identity across sectors like employment, housing, healthcare and education.

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<sup>3</sup> Human Rights Council, Report of the Working Group on the Universal Periodic Review, Saint Kitts and Nevis U.N. Doc. A/HRC/47/7 (January 2021), Recommendations 130.54 Germany, 130.57 United Kingdom and Northern Ireland and 130.60 Iceland.

<sup>4</sup> Par. 32 (Sexual orientation and gender identity) United Nations Committee on Economic, Social and Cultural Rights (CESCR), General Comment No. 20: Non-Discrimination in Economic, Social and Cultural Rights (Article 2, Paragraph 2, of the International Covenant on Economic, Social and Cultural Rights), 2 July 2009, E/C.12/GC/20.

<sup>5</sup> T. Heron, C. Sandiford, 2025, *Police Interaction with LGBTQ+ Persons in the Eastern Caribbean*, CADRES

### *Recommendations*

15. Enact 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.
16. Implement mandatory training programs for public officials, law enforcement, judiciary, healthcare providers and educators on sexual orientation and gender identity equality principles and the application of anti-discrimination legislation.

### **C. Improve access to inclusive and affordable healthcare- Noted, Partially Implemented**

17. Saint Kitts and Nevis has taken an important step forward in bolstering its health and human rights framework by ratifying the Convention on the Rights of Persons with Disabilities (CPRD) in June 2025. This marks a partial implementation of recommendation 130.9 from Costa Rica.
18. In the preceding UPR cycle in 2021, rec.130.72 from France recommended that the Saint Kitts and Nevis decriminalise homosexuality and combat obstacles to access to health for LGBTI persons. Homosexuality has since been decriminalised via the judicial system, however, there has been limited action by the State to combat obstacles LGBTQ+ people face when accessing health care.
19. LGBTQ+ people deserve access to inclusive and affordable healthcare without fear of discrimination. In line with the strategic goals identified in the National Gender Equality Policy and Action Plan to work with the public sector to end discrimination against LGBTQI+ people, the SKN Alliance recommends that the State:
  - a. Increase funding for LGBTQ+ competent healthcare providers and mental health services tailored to the needs of LGBTQ+ people.
  - b. Expand HIV prevention and treatment programs, especially targeting marginalised communities.
  - c. Remove barriers to gender-affirming care and ensure such services are covered by insurance, making healthcare more accessible and respectful.

### *Recommendations*

20. Remove barriers LGBTQ+ people face when accessing healthcare including gender-affirming care through sensitization and cultural competence initiatives for in-training and in-service health care workers, facility level zero-tolerance redress mechanisms in the health sector and expanded social programs.
21. Collect disaggregated data on LGBTQ+ health outcomes to monitor disparities and guide policy reforms.

