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Chair: Mr. Shany (Vice-Chair)

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Mr. Shany (Vice-Chair) took the Chair.

The meeting was called to order at 10.05 a.m.

Consideration of country situations in the absence of reports, pursuant to rule 71 of the Committee's rules of procedure *(continued)*

Situation in Dominica considered in the absence of a report (continued)
([CCPR/C/DMA/Q/1/Add.1](#); [CCPR/C/DMA/RQAR/1](#))

1. *At the invitation of the Chair, the delegation of Dominica took places at the Committee table.*

2. **Mr. Henderson** (Dominica), replying to questions raised at the previous meeting, said that Dominica had one of the lowest crime rates in the Caribbean region. Political transitions since the country had attained independence in 1978 had been peaceful, despite the fact that there was no formal transition period as such; if an incumbent was defeated, the newly elected Administration took office immediately. Some attempts to disrupt the political process, notably in 2017 and 2019, had apparently been a reflection of an opposition party's conviction that the only way to win elections was through disruptions, threats and the use of violence. The media had been used to disseminate falsehoods, and social media had served as a weapon in the propaganda war. Some individuals and intergovernmental organizations had unfortunately based their positions on such unfounded allegations, which could have serious implications for the country's governance.

3. According to the police force, the allegation that two villagers from Salisbury had been shot by police officers was untrue, since it was found that they had been wounded by shotguns, and the officers had neither possessed shotguns nor used live rounds. The regulations governing the use of force by the police were in line with international standards and the Constitution. Legal proceedings had been instituted against police officers for the use of force on a number of occasions; some of those cases had resulted in convictions, while others had ended in acquittals.

4. During the weeks prior to the elections of 6 December 2019, the opposition United Workers Party had resorted to threats, intimidation, disruption and a propaganda war. The international media had reported civil unrest and demonstrations involving thousands of people, although there had been only a few hundred in most cases. Members of the opposition party had blocked the roads in the constituencies of Marigot and Salisbury on polling day, and there had been serious threats to life and property. The road in Salisbury had been unblocked by the police and the road in Marigot by the local people. The police had responded with rubber bullets and tear gas to an attack by a mob that had pelted them with stones, bottles and firebombs. They had not used live ammunition, and reports that the police had targeted a particular village or members or supporters of the opposition were false. The blockage of the roads had adversely affected vulnerable members of the community, especially older persons, and had impeded access to health care and employment. Tourism had also been severely affected. The standards governing the definition of the use of force for reasonable protection of property were determined by the courts, not by the executive or legislative branches.

5. The Committee had said that its questions were based on publicly available information, but some of the sources being used were a cause of concern, as they had lodged frivolous allegations that were devoid of legal precision. It had been implied, for instance, that the Government was turning a blind eye to widespread abuse of children and that there was no legal framework for dealing with such abuse. The source on which a Committee member had based those questions had stated that, "although research was limited", there was evidence that children were engaged in the worst forms of child labour, including commercial sexual exploitation. According to a table on education in the same report, no data were available on the percentage of children between 5 and 14 years of age who were working, attending school or combining work and school, and the completion rate for primary education was alleged to be, bewilderingly, 117.9 per cent. The report was full of inaccuracies, did not present any facts to support its conclusions and was a misleading document that was an unacceptable source for use as a basis for framing the Committee's questions.

6. Section 27 of the Education Act of 1997 made school attendance compulsory for children up to the age of 16 years or until they attained a school leaving certificate. Schools and school administrators were empowered to hold parents accountable if their children failed to attend school. The State financed early childhood education and had constructed new facilities for the purpose. It provided free transport, school meals, secondary school transfer grants, free tuition at Dominica State College and university scholarships. Scholarships and subsidies had been provided to many students from Dominica who wished to study in universities in other parts of the world.

7. Dominica had enacted legislation aimed at preventing, combating and punishing all forms of human trafficking. The Immigration and Passport Act and the Transnational Organized Crime (Prevention and Control) Act of 2013 defined offences related to human trafficking, including forced labour and the smuggling of migrants. The penalties they prescribed depended on the seriousness of the crime. Human trafficking offences were extraditable offences.

8. Bills had been submitted to the Cabinet on the status of children, the care and adoption of children, juvenile justice, family courts and child maintenance, and those bills would probably be submitted to parliament later in 2020. Families would then be able to seek redress, when necessary, in the courts. Steps were being taken to restructure the Social Welfare Division, which was the main child protection agency, and a proposed national action plan on child sexual abuse was currently being reviewed in preparation for its submission to the legislature. The forthcoming legislative agenda would doubtless lead to the repeal of section 35 (2) of the National Service Act of 1977 or perhaps of the entire Act.

9. Prisoners were entitled to work from time to time outside the prison walls, subject to the authority of the Superintendent of Prisons. They were paid wages and supervised by prison officers.

10. The criteria for the protection of freedom of reputation were determined by the courts. They had ruled on cases involving defamation of government officials and of members and supporters of the incumbent or opposition parties. Some journalists who had been tried on defamation charges had been convicted but others had been acquitted. No application for an injunction against any media articles or related publications had been submitted by the Government. Charges of defamation had been filed only after the fact to protect people's reputations.

11. There was no licensing regime for the press or other media. Publishing houses operated under Companies Act No. 21 of 1994. Radio and television channels were required to apply for a broadcasting license for technical reasons, rather than for any content-related consideration, under Telecommunications Act No. 8 of 2000, which formed part of the harmonized legislation for States parties to the treaty establishing the Eastern Caribbean Telecommunications Authority. Some licensed radio stations were aligned with the opposition and others with the Government. There was also a national radio station that did not deal with political matters. Journalists were free to attend sittings of the House of Assembly, subject to the availability of space and to regulations concerning the dress code and decorum.

12. Chapter 2:50 of the Parliamentary Proceedings Broadcasting Act regulated the broadcasting of parliamentary proceedings, which was mandatory in the case of the national radio station. While the criminalization of defamation would be reviewed as a restriction on freedom of expression, people must nonetheless be protected from defamation. The competent Ministry was authorized to revoke broadcasting licences, but it had never done so. The content of online publications and postings was not regulated, and no licences were required.

13. **The Chair** said that he had taken note of the State party's position on the Committee's methodology for gathering information. The Committee sought to collect information from a variety of sources, including media reports, publications and reviews from non-governmental organizations (NGOs) and academic research. The Committee then dealt with the resulting constraints by putting the information it had received before the delegation and inviting its members to set the record straight. Posing a question based on a given source did not imply that Committee members had formed an opinion on that basis.

14. **Mr. Bulkan** said that he would like to know what specific measures had been taken by the State party to shorten the duration of pretrial detention, which he understood could be as much as four years. It would also be useful to know whether additional judicial personnel had been recruited for the express purpose of processing the backlog of cases that had built up during the 15-month suspension of proceedings at the High Court as a result of the damage caused by Hurricane Maria in September 2017. Clarification as to how the rights of criminal defendants had been protected over that period would be of particular interest to the Committee. At a more general level, he was also eager to know which non-custodial measures the Government was using to reduce the percentage of people held in pretrial detention from its very high current level of 46 per cent. The Committee would also welcome further information on any guidelines or protocols that had been adopted to ensure that magistrates and judges implemented those measures in an appropriate and non-discriminatory manner.

15. He was concerned that the right to exercise freedom of assembly was restricted by the provisions of the Public Order Act. He wished to know whether the State party would consider amending that legislation to simply require notification rather than prior authorization for public assemblies and to make the regulations governing public assembly more transparent and subject to independent oversight. On a related matter, would the Government be prepared to repeal the provisions that criminalized the organization of a public event without a permit?

16. He also invited the delegation to comment on allegations that a disproportionate use of the Public Order Act had been made in the case of opposition politicians. Charges had recently been brought against a number of the Government's political opponents, including the Leader of the Opposition in the House of Assembly, Lennox Linton. Moreover, the Committee had been made aware of a petition suggesting that members of the ruling Dominica Labour Party (DLP) had also engaged in conduct that ran contrary to the provisions of the Public Order Act. He would therefore be interested to know whether any members of DLP had been the object of similar charges.

17. **Mr. Muhumuza** said that it would be useful to understand the nature of any actions that had been taken to reduce prison overcrowding and improve conditions of detention. The Committee would also welcome further information, including statistics, on the measures that had been taken to ensure the segregation of accused persons from convicted persons and the separation of juvenile from adult prisoners. Clarification as to whether the State party intended to establish an independent mechanism to monitor and inspect places of detention, with a mandate to receive official complaints and investigate them, would also be of interest.

18. He wished to invite the delegation to indicate whether any further action had been taken to establish juvenile courts or if any such action was planned. Information on the minimum age of criminal responsibility in the State party would also be of interest, as would clarification as to whether it was legally possible to sentence children to life imprisonment. In relation to the latter point, he wished to know whether the State party intended to repeal the provision of the Offences against the Person Act under which judges were authorized to sentence children to detention for an indefinite period at the State's discretion. The Committee would also welcome further information on any efforts that were being made to employ restorative justice sentencing and to improve rehabilitation services for juvenile offenders, including the implementation of any initiatives under the juvenile justice reform programme of the Organization of Eastern Caribbean States (OECS).

19. The Committee was concerned that the Government had not yet clearly stated that it intended to repeal all legislative provisions authorizing the corporal punishment of children. He wished to know whether the State party planned to explicitly prohibit corporal punishment in all settings, including in the home, and to make it a punishable criminal offence. An explanation would also be welcome as to why no reference to corporal punishment had been included in the 2018 National Child Protection Action Plan. Was it the case that the provision prohibiting corporal punishment in the Juvenile Justice bill would explicitly repeal all existing legislation on the matter if that bill were passed into law?

20. **Mr. Zimmermann** said that, although the State party had expressed a willingness to cooperate with the Office of the United Nations High Commissioner for Refugees (UNHCR) on the drafting of a national law on refugees, to date it had adopted neither implementing legislation nor administrative regulations on asylum procedures or on the determination of refugee status. He therefore invited the delegation to provide updated information on any relevant progress that the State party had made in cooperation with UNHCR. In view of the mixed migration flows that the State party had received, he would also welcome information on how the needs of migrants were being addressed. Clarification as to whether any specific legislation or administrative regulations had been adopted to govern the granting of residency and citizenship to migrants would be of particular interest.

21. The Committee would like to know whether the State party intended to accede to the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness. It would also welcome further information about the measures that had already been taken to provide protection to stateless persons present in the territory of Dominica. He would like to understand more about the conditions under which stateless persons could apply for and be granted citizenship. It would be particularly useful to know whether the Citizenship by Investment Programme was the only way to apply for citizenship, since any individual application under that scheme required a minimum personal investment of US\$ 100,000.

22. He welcomed the measures that the State party had taken to improve living conditions for the Kalinago people and to reduce poverty among members of that community. However, the Committee had received reports indicating that they still faced discrimination. In that regard, he would be interested to hear whether the Government would consider taking action to ensure that schoolchildren learned about the positive role played by the Kalinagos in shaping Dominican society. He would also like to know how the participation of Kalinagos in housing development projects in the Kalinago Territory was guaranteed. Clarification would be appreciated as to the steps that the Government was taking to promote the sustainable development of the Territory, since those projects were largely financed by international partners. Lastly, he would like to know how land disputes along the borders of the Territory were being resolved.

23. **Ms. Kran** said that she greatly appreciated the spirit of openness in which the State party had approached the current dialogue. She wished to reassure the delegation that it was not the Committee's intention to criticize Dominica. Rather, by asking relevant questions and issuing constructive comments and recommendations, the Committee hoped that it could help the State party to continue to enhance its implementation of the Covenant, which was an objective that both parties shared.

24. She wished to invite the delegation to comment on reports that, while the Government did not pay judges' salaries directly, judges relied on the Government for their housing and transportation and that the Government had used that fact to exert influence over judges and even to attempt to force some judges to leave the island. She would like to know how the State party intended to guarantee the independence of the judiciary. The Committee would also appreciate updated information on any delays currently experienced in bringing civil claims and criminal cases to court. Specific information on the Government's plans to address case backlogs, including through the allocation of greater budgetary and human resources, would also be of interest. In that regard, it would be helpful to have an idea of any timelines that had been set for the implementation of measures to strengthen the capacity of the judicial system. When did the Government intend to take specific measures to improve prosecutorial and police staffing? In view of the disruption of the justice system caused by Hurricane Maria, she would be eager to hear what plans were under development or had already been formulated to reduce any delays in the administration of justice caused by unforeseen circumstances. Should the courts be forced to suspend all proceedings unexpectedly as the result of a natural disaster, for example, the Committee would like to understand how the Government intended to uphold Covenant principles such as the right to freedom from arbitrary detention and the right to be tried without undue delay.

25. With regard to legal aid and the right to counsel, she understood that there were still some kinds of criminal cases in respect of which defendants who could not afford a lawyer would not be provided with counsel at public expense. The Committee would therefore welcome updated information on the percentage of criminal cases currently before the courts in which a defendant was not represented by counsel and information on any planned measures for ensuring that the scope of legal aid met the requirements of article 14 of the Covenant. She also wished to know how many lawyers were employed by the legal aid clinic mentioned by the State party, how many cases that clinic took on and whether it was sufficiently staffed.

26. In the light of allegations that the Citizenship by Investment Programme was being used for political purposes, she invited the delegation to update the Committee as to whether diplomatic passports were still being issued under that scheme. The Committee would also be interested to hear more about the current status of the proposed law on access to information and about any other measures taken to enhance transparency in the disclosure of public information.

27. Given that some constituencies had significantly larger populations than others, it would be useful to know what measures were being taken to ensure equal representation during elections and whether the Government intended to implement the Constituency Boundaries Commission's recommendation to reduce the number of constituencies. She also invited the delegation to comment on disturbing reports that the Committee had received about the incumbent party's use of government resources to fund its political campaigns and about members of the diaspora being flown in to influence the results of elections. It would be useful to know when the proposed independent review of the country's electoral process, set to be conducted by a former president of the Caribbean Court of Justice, was scheduled to start. Lastly, she wished to hear how the State party intended to ensure that any citizens of Dominica who had been removed from the electoral register owing to their prolonged absence from the country could re-register and thus exercise their right to vote.

28. **Ms. Tigroudja** said that concerns had been raised about the sexual exploitation of children and child labour by highly respected international bodies, including the International Labour Organization and the United Nations Educational, Scientific and Cultural Organization. Given not only the stature of those sources but the seriousness of their concerns, it was of the utmost importance for the Committee to hear the delegation's direct response to the Committee's question about the measures it was taking to address alleged cases of child abuse in the State party.

29. **Ms. Sancin** said that she would like to know whether it was currently possible, both in law and in practice, for NGOs to make unannounced visits to places of deprivation of liberty in order to conduct private, unsupervised interviews with inmates.

30. **Mr. Santos Pais** said that, with reference to paragraph 68 of the State party's replies to the list of issues ([CCPR/C/DMA/RQAR/1](#)), he wished to know more about the composition and powers of the Judicial and Legal Services Commission. In particular, it would be helpful to know whether the Commission's decisions concerning judicial appointments, promotions and dismissals were subject to judicial review and whether information could be provided on the procedure for appointing Commission members, including how long they served, whether they could be removed from office and, if so, on what grounds. In a similar vein, he wondered what rules were in place for appointing, promoting and guaranteeing the security of tenure of public prosecutors and whether criminal investigations were led by prosecutors or by the police. It would also be useful to have statistics on the percentages of judges and public prosecutors who were women.

31. With reference to paragraph 96 of the replies, he would like to hear more about the annual financial declarations submitted by public officials to the Integrity Commission and, in particular, to learn whether they were publicly accessible. More information about the powers and responsibilities of the Commission would also be welcome. Was the Commission able to impose penalties on public officials and, if so, what kinds of penalties?

32. **Mr. Koita** said that he had noted that the State party had taken various steps in the direction of the abolition of the death penalty, including the fact that it had voted in favour

of General Assembly resolution 73/175, calling for a moratorium on the use of the death penalty. He would therefore like to know whether the State party intended to continue its efforts in that direction, which could lead it to become a party to the Second Optional Protocol to the Covenant, aiming at the abolition of the death penalty.

The meeting was suspended at 11.25 a.m. and resumed at 11.55 a.m.

33. **Mr. Henderson** (Dominica) said that the Government shared the Committee's concerns about the backlog of court cases and delays in the administration of justice. Many of those concerns had largely been addressed prior to Tropical Storm Erika, in 2015, and Hurricane Maria, in 2017, which had wreaked devastation and led to major setbacks. For example, plans to build new court buildings under the Halls of Justice Project had been deferred in order to redirect resources to the rehousing and rebuilding of communities that had been destroyed. The Government acknowledged, however, that the criminal courts had been out of commission for an unacceptably long period of time. It was hoped that the construction of the new buildings would soon commence, since the High Court was situated right on the waterfront and was therefore particularly vulnerable to damage from tidal surges and storms. In the meantime, steps were being taken to strengthen the justice system, including by recruiting additional magistrates. As far as the Eastern Caribbean Supreme Court was concerned, it was absurd to suggest that the Government sought to exert financial control over its judges by withholding housing and transportation subsidies or by any other means. His country provided certain services and made security arrangements for the Supreme Court; all other aspects were strictly within the purview of the Court and of the Judicial and Legal Services Commission.

34. The rules governing the composition of the Judicial and Legal Services Commission and the criteria for the appointment and removal of its members were set forth in section 18 of the Supreme Court Order of 1967. The Commission was headed by a chief justice – currently a woman – who was selected by the Heads of Government of the OECS member States. Other Commission members were appointed by the chief justice for a three-year term, with the agreement of at least four Heads of Government. He could confirm that the decisions of the Judicial and Legal Services Commission were subject to judicial review.

35. The State prison had been expanded in order to enable persons on remand to be held separately from convicted prisoners. The legal reforms that were under way also provided an opportunity to explore the possibility of introducing non-custodial alternatives to pretrial detention, which were not currently available. The legal system in Dominica was based on the common law model, and public prosecutors were therefore not involved in criminal investigations. Pursuant to section 88 of the Constitution, the Office of the Director of Public Prosecutions was a constitutional body. The Director enjoyed security of tenure and was appointed by the President, who acted on the advice of the Public Service Commission; the post was currently occupied by a woman. In fact, women staff members greatly outnumbered men staff members in the Office.

36. As to the issue of freedom of assembly, authorization to hold peaceful assemblies was required only for gatherings that obstructed public roads or interfered with daily life. In other places, such as parks, prior authorization was not necessary, provided that organizers observed the principle of time and place. He found it disappointing that Committee members had failed to refer to any government sources of information regarding the events of 7 February 2017; instead, it had relied on accounts published by opposition parties, including the Leader of the Opposition in the House of Assembly, who had flouted the law. It was not true to say that the police had tried to stop the demonstration that day. Since the demonstration organizers had wished to hold their rally in the heart of the financial and government district, they had had to seek authorization from the police, and that had been duly granted. However, afterward the demonstrators had taken to the streets, where they had proceeded to destroy homes and set businesses on fire. While the Government agreed that the Public Order Act should – and would – be reviewed to take account of the concerns raised by Mr. Bulkan, it was important to strike the right balance between the right to freedom of assembly and the need to ensure public safety and maintain public order.

37. Dominica was open to all, including migrants, refugees and asylum seekers. The country had a long history of welcoming people from all over the world. For example,

under the Citizenship Act of 1978, a legal process had been established to enable migrants from Haiti to apply for permanent residency and, eventually, citizenship. Through the Citizenship by Investment Programme, a number of stateless persons had also acquired citizenship. His Government would, however, welcome technical assistance in order to be able to better fulfil its international obligations and to ensure that the necessary systems, procedures and legislation were in place.

38. In some respects, Dominica had gone above and beyond the requirements of the International Labour Organization (ILO) International and Tribal Peoples Convention, 1989 (No. 169). The Government had created the Ministry of Kalinago Affairs to protect and promote the rights and interests of the indigenous peoples of Dominica. It should be noted that any and all developments in the Kalinago Territory had first to be approved by the Kalinago chiefs. In the aftermath of Hurricane Maria, steps had been taken to improve living conditions in the Kalinago Territory, including by rebuilding schools, strengthening economic activity and improving infrastructure and access roads to farms. Although some financial resources had come from external sources, such as the World Bank, the European Union and the Government of the Bolivarian Republic of Venezuela, funding was increasingly being made available from the State Treasury. As far as social discrimination against the Kalinago people was concerned, thanks to certain affirmative measures, such as the provision of university scholarships and special educational programmes, members of the Kalinago people were represented in all professional sectors in Dominica and held senior positions in academia, law and medicine, among other fields. It was true, however, that action needed to be taken to ensure that all children learned about the culture and history of the Kalinago people at school and to remove the references to outdated, colonialist ideas that could still be found in school textbooks.

39. **Mr. Henderson** (Dominica) said that land in the Kalinago Territory was communally owned. Thus, persons living there could not obtain land titles, which gave rise to certain limitations. Relations with the Kalinago community were constructive and progressive; no complaints about disputed boundaries had been raised to his knowledge. Nonetheless, the matter would be thoroughly investigated.

40. Although he had already answered several questions relating to the judicial system, further information regarding outstanding issues, including delays in the administration of justice and efforts to reduce the backlogs in the courts, would be provided in writing. The Government had invested in refurbishing court buildings and securing access to alternative facilities pending the construction of the new Hall of Justice.

41. With respect to the question of legal aid, further information had not yet been received from the Government but would be provided to the Committee in writing. It appeared to be the case that the legal aid clinic was not heavily staffed, but the State attorney in charge of the clinic assigned lawyers from either the Attorney General's Office or the private sector upon request. Although he did not have information to hand on the caseload of the clinic or on the demand for its resources, the very existence of a legal aid office represented a commendable effort by the Government to ensure access to legal services for people who could not otherwise afford them. It was hoped that the reforms of the legal system that were currently under way would also focus on access to legal aid, as everyone should be entitled to counsel.

42. With regard to the Citizenship by Investment Programme, the Government had developed a policy on the issuance of diplomatic passports that protected the good name of Dominica.

43. Reports submitted to the Integrity Commission were not made public. Since the passage of the Integrity in Public Office Act of 2003, it had proven difficult to encourage people to stand for public office, as they would have to declare their assets and liabilities, but the Government had no plans to amend that law. When a declaration was submitted, the Commission was authorized to investigate and to take the matter to the Office of the Director of Public Prosecutions if the Commission felt that such action was warranted; making a false declaration of that kind was a crime under national law.

44. Reform of the electoral system had been hampered by a range of obstacles. For example, the introduction of voter identity cards had met with violent opposition.

Nevertheless, the Government had undertaken substantial investments in order to introduce voter identity card machines and to provide additional staff and equipment to the Electoral Commission, and it had run a public information campaign on voter re-registration. Allegations of “bloated” electoral rolls were baseless. Dominica was a small country, and there was a great deal of migration. Many voters living overseas returned home within the statutory five-year period and therefore remained eligible to vote. The Government had taken steps to remove the names of deceased persons from the electoral register. Although the Electoral Commission could have taken more proactive steps in that regard, he wished to point out that anyone could request the removal of the name of a deceased person from the register.

45. The country’s electoral constituencies were small and, in fact, the average number of registered voters for a given polling station stood at some 300 people. Electoral law provided that every candidate had the right to have a representative present at a polling station, and those representatives could question arriving voters to verify their identity and, if necessary, request that they sign a declaration or oath that could subsequently be used as evidence if the outcome of the election were challenged. Candidates’ representatives would easily spot an unfamiliar face, given the small size of the country’s local communities. Thus, there were safeguards built into the system to prevent electoral fraud.

46. Political parties provided travel assistance for citizens of Dominica living abroad who wished to return home to vote. The courts had ruled that such assistance was not illegal and did not classify the provision of such assistance as an attempt to influence elections; citizens abroad were entitled to exercise their right to vote.

47. As indicated in the Government’s replies to the list of issues, several organizations had sent observers to Dominica during the recent elections, including the Organization of American States (OAS). Although initially critical, that delegation had ultimately found that the election results had reflected the will of the people. Moreover, an informal delegation sent by the United Nations to observe the elections had found no grounds for complaint and had merely made recommendations for improvements. A reform of the electoral system was currently under way and, as part of that effort, a work plan was due to be approved in the following few days that would cover issues such as campaign financing. However, the matter of constituency size would be handled by the Electoral Boundaries Commission.

48. **Ms. Kran** said that the Committee encouraged Governments to consult and obtain input from NGOs in the drafting of State party reports; while she understood that there had been no time for such consultations in the current case, she wished to know what approach the Government planned to adopt for future reports and whether consideration would be given to the inclusion of contributions from NGOs.

49. **Mr. Bulkan**, responding to comments on the Committee’s work, said that NGO reports provided an opportunity to clarify certain matters. With regard to the right to freedom of assembly, there were concerns that only opposition members had been charged with indictable offences even though information available online indicated that DLP supporters had also been involved in electioneering or other activities that could be interpreted as having amounted to incitement. Had any charges been brought against government supporters? There were concerns about a potential negative impact on free speech, the right of freedom to assembly and, ultimately, democracy. On a more positive note, however, he welcomed the delegation’s receptiveness to the Committee’s suggestions.

50. **Mr. Zyberi** said that, given the Government’s stated ambition to ensure comprehensive climate change resilience, more information in writing would be useful on the Government’s strategy in that regard.

51. **Mr. Zimmermann** said that, in the light of the scope for ministerial discretion concerning the naturalization process, he wondered what criteria guided decisions on granting citizenship and whether there was judicial oversight of the process.

52. **Mr. Henderson** (Dominica) said that, while he had some reservations about the information sources used by the Committee, he appreciated its work and working methods. He acknowledged that the contribution of NGOs was important and, in fact, an

interministerial committee had recently been established that would, in the future, coordinate the Government's engagement with non-State actors in respect of all of its reporting obligations and commitments. NGOs had contributed to discussions relating to the preparation of the report for the universal periodic review conducted in 2019, and his Government welcomed increased NGO participation in the future. With regard to the right to freedom of assembly, the Government would be interested to learn of any cases of DLP supporters committing indictable offences, as, if that had occurred, it would be keen to correct any such problems.

53. In order to achieve its ambitious goals relating to climate change, the Government had established the Climate Resilience Agency of Dominica.

54. Naturalization policies and guidelines had been developed, and the authority responsible for overseeing that process was subject to judicial review.

55. **The Chair** said that the Committee appreciated the constructive, informative and frank dialogue that it had had with the State party. He wished to encourage the State party to report on a more regular basis in order to continue that dialogue, and he wished to urge the State party to consider ratifying the protocols to the Covenant. The Committee would review the information received and evaluate the main issues raised as it prepared its concluding observations. All of the information provided by the State party would be taken fully into account.

The meeting rose at 1.10 p.m.