



Convention on the Rights of the Child

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Committee on the Rights of the Child Seventy-fifth session

Summary record of the 2213th meeting

Held at the Palais Wilson, Geneva, on Monday, 29 May 2017, at 3 p.m.

Chair: Ms. Winter

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The meeting was called to order at 3.10 p.m.

Consideration of reports by States parties *(continued)*

*Combined second to fourth periodic reports of Antigua and Barbuda (continued)
(CRC/C/ATG/2-4; CRC/C/ATG/Q/2-4 and Add.1)*

1. *At the invitation of the Chair, the delegation of Antigua and Barbuda took places at the Committee table.*
2. **The Chair** invited the delegation to reply to the questions that had been raised at the Committee's 2212th meeting.
3. **Ms. Hyman** (Antigua and Barbuda) said that the causes of child abuse and neglect were the same in Antigua and Barbuda as elsewhere. They included poverty, the lack of education and the number of children in a family.
4. She had been advised that the care facility for children with disabilities run by the Amazing Grace Foundation, was no longer used. The children had been moved to a hospital with better facilities under the Care Project, a residential programme that catered to the needs of abandoned children and children with disabilities. Abandoned children included children whose parents and other relatives were not able or willing to care for them. They were institutionalized only in cases in which the authorities could not find suitable foster parents. Now that her Government had ratified the Convention on the Rights of Persons with Disabilities, it had entered into consultations with the relevant stakeholders to draft the necessary legislation for its implementation. There were several organizations for persons with disabilities in Antigua and Barbuda, and one representative of those organizations had been in close communication with the Attorney General's Office. There was a school for children with visual and hearing impairments, which was on a compound with an ordinary secondary school. Although some older school buildings were not adapted to the needs of students with physical disabilities, appropriate steps had been taken to ensure that any plans for new buildings took into account those needs. Social workers regularly followed up on cases of children with mental health problems and local health centres were available throughout the country to provide such children with outpatient services. However, some centres did not have doctors who were qualified to treat such children. In those cases, the children would have to be treated in hospital.
5. Her Government was striving to ensure that adequate public funding was provided for early childhood development programmes. It was introducing early childhood development programmes throughout the country in stages. As far as she was aware, there was no comprehensive list of unsafe work for children; however, common sense dictated that children should not be working in kitchens and dealing with fires or in shops with heavy machinery. If they were found to be employed in hazardous work, the employers would be liable to prosecution. She could confirm that the country's ad hoc asylum committee was in fact able to process all cases filed, given the small number of applications received.
6. In determining criminal liability of young persons, several factors were considered, including their age, their social background, their performance at school and others. The persons involved in establishing criminal responsibility included social workers, probation officers, school counsellors, teachers and even medical staff. Such persons were also involved in the family group conferences for recommendations on sentencing that were referred to in the Child Justice Act. Regarding the minimum age of criminal responsibility, she had been assured that the Minister of Social Transformation intended to work towards raising the age; her delegation would refer the Committee's recommendation in that regard to the Minister. With respect to the question about handling cases involving young people outside formal court procedures, the courts tried to put them on probation or provide them with the necessary counselling. The primary purpose of magistrates and judges in such cases was to assist young persons to understand where they had gone wrong and how they could get back on the right track.
7. She would see to it that the Committee's recommendation on ratification of the Optional Protocol to the Convention on a communications procedure was brought to the

appropriate authorities' attention. Her delegation had also been asked whether Antigua and Barbuda had enough probation and welfare officers: the answer was no. Although it would be desirable to have many more social workers, the Government could do only so much with available resources. Drawing attention to the residential care homes for girls, which were all publicly subsidized, she said that, unfortunately, the country did not have a place for boys in need of care other than the Boys' Training School. However, her Government was seeking ways of changing that situation. Barbuda was a small island with a population of about 2,000 persons. There was a social worker and truancy officer on the island. Young persons who were in need of care that could not be provided on that island were brought to Antigua at public expense. With respect to the question of acceding to the Hague Convention on Civil Aspects of International Child Abduction, her Government had taken part in a recent regional meeting on the issue and would be looking further into the matter. Her delegation duly noted the fact that the State party report on the status of implementation of the Optional Protocol to the Convention on the sale of children was overdue.

8. Among the measures taken to lift children out of poverty were a school uniform programme, a school meals programme and a school textbook loan programme. There was one psychiatrist who worked in the country, but he was not a child psychiatrist as such. As far as she knew, no studies had been conducted on the mental health of children. Owing to human resource constraints, substance abuse programmes were mainly offered in primary schools. Drug dealers were prosecuted under the Misuse of Drugs Act, which had been frequently amended to take account of developments in the situation.

9. Her delegation noted the Committee's concern about the high percentage of girls affected by HIV/AIDS. A health and family life education programme was taught in secondary schools, covering topics such as HIV/AIDS and sexual health. There had been radio and television programmes to raise awareness of the problem and days of activities to coincide with World AIDS Day, on which leaflets were distributed and free HIV tests were made available. Retroviral drugs, testing and counselling were free and confidential. Every effort was made to place AIDS orphans with relatives or in a family setting. Several persons had been trained specifically to look after children affected by HIV.

10. She took issue with the statement made that, in Antigua and Barbuda, it was widely believed that girls as young as 12 years old should be considered women as soon as they started menstruating. Whether or not a girl had begun menstruation, she was viewed as a child. The views of persons who thought otherwise were frowned on. The Government was fully aware of its international obligations and had clear national laws concerning what constituted a child.

11. Concerning obesity, there was a school programme to encourage children to eat properly and exercise. Antigua and Barbuda had a national non-communicable disease programme coordinator because of the overall incidence of high blood pressure and diabetes in the country. The Government had thus made efforts to start educating young people about healthy living at an early age. It was not true, as had been suggested, that children could easily purchase alcohol and cigarettes. Under the law, it was illegal to sell alcohol to children. Shopkeepers who did so were liable to prosecution and to losing their licences. Children were required to be vaccinated against diseases such as rubella, measles, chickenpox, whooping cough and others. They were also required to have up-to-date health cards before they entered into public schools.

12. As for children's access to information technology, under the Government Assisted Technology Endeavour (GATE) project, schools were equipped with computers so that all children had access to the Internet and become computer literate. The Government had also sought to provide community centres with computers and free Wi-Fi. Access to websites was restricted under the GATE project to prevent children from being exposed to inappropriate sites.

13. Antigua and Barbuda fully met its international obligations concerning climate change. It had a robust department responsible for the environment. It had passed comprehensive environmental protection legislation in 2015. It monitored its carbon dioxide emissions and used a range of solar and renewable energy resources. Very little was

manufactured in the country. As for assessments of the environmental impact of business activities, including tourism, the environmental department was required to review all project proposals and to make its recommendations based on impact assessment studies. As the country was in a hurricane zone, it was very important for the environmental department to have an input in any such business decisions.

14. **Mr. Rodríguez Reyes**, supported by **Ms. Sandberg**, said that he would like to know whether removing a child from a home in deplorable conditions necessarily required separation from his or her family. It would be useful to hear about any government-sponsored programmes aimed at helping families overcome socioeconomic problems.

15. **Ms. Aho Assouma** said that she continued to be concerned by reports that girls were considered women as soon as they started menstruating. It was possible that such a mentality was linked to incest and other forms of sexual abuse; she therefore would like to know what steps the Government was taking to change the mentality and to consider children as such until the age of 18.

16. **Mr. Nelson** said that, in the light of the shortage of mental health professionals in Antigua and Barbuda, he would like to know what treatment was available for a child who displayed mental health problems. He would also encourage the State party to ratify the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict.

17. **Ms. Hyman** (Antigua and Barbuda) said that if it was determined that a child was living in deplorable conditions, the authorities first sought to place the child with relatives; it was only if no relatives were able or willing to take the child in that he or she would be separated from his or her family. It was first and foremost important to provide a safe environment, in the child's best interest. In Antigua and Barbuda, there was great demand but insufficient resources for public housing. While a government-sponsored programme had recently been launched in the major towns, the houses had not yet been built.

18. Incest and sexual abuse was no more widespread in Antigua and Barbuda than anywhere else in the world. Anyone who committed such crimes was dealt with harshly by the criminal system. The Government sought to educate girls about their rights and boys about respect for women; it had recently carried out a programme with UNICEF in that respect. The Directorate of Gender Affairs worked tirelessly to educate the entire population about such issues, including through television and radio programmes.

19. **Ms. Byers** (Antigua and Barbuda) said that there were not in fact many households living in deplorable conditions. Changing a child's environment was avoided wherever possible; however, if a child had to be removed from his or her home, the authorities would first work with the parents to help them find jobs and, then, if all else failed, would place the child with family members. The Government provided accommodation in the case of house fires, especially where children were involved.

20. While there was only one licensed psychiatrist working in the State party, highly trained social workers and other specialists were available to treat children. If a child displayed a behaviour linked to mental illness, he or she would first be treated at the hospital and then monitored on an ongoing basis by his or her family and members of the community. In addition to running the Parent Empowerment Programme, which provided training to parents on effective communication with their children, the Government was currently exploring opportunities to work with the Organisation of Eastern Caribbean States (OECS) in developing a national parenting programme.

21. A Cabinet decision had been taken to transfer the Boys' Training School to the Ministry of Social Transformation and Human Resource Development, under the Family and Social Services Division. A first draft of a concept paper on reforms to be carried out had been finalized. The School would accommodate just 20 boys, mainly those who were in conflict with the law. Going forward, boys who were simply in need of protection would not be placed in the Boys' Training School, but would instead be placed in foster families. Currently there were just eight boys in need of protection at the School; their transfer to foster families was an ongoing process. In addition to urging foster families to take in additional children, the Government had applied for assistance from the United States

Agency for International Development (USAID) to erect a new building; initial feedback had been promising.

22. The agenda of the Family and Social Services Division had been discussed at length before being adopted; the Convention on the Rights of the Child had been referred to in order to make it child- and family-friendly. Officers would visit schools and communities and explain the services being offered.

23. Data collection had been challenging owing to the lack of technology and resources. Under the aforementioned juvenile justice reform project, run jointly with OECS, the Government's data-collection methodology had been reviewed. The software application TheraScribe® would soon be rolled out to government agencies so that they could all benefit from the same information about children in the State party.

24. **Mr. Pedernera Reyna** said that while he welcomed the information that the Juvenile Act of 1951 was not enforced, that legislation, which provided for children to be tried as adults and for harsh sentencing of children, including whipping, nevertheless remained in effect. He would like to know the reason for the delay in repealing the legislation.

25. **Ms. Hyman** (Antigua and Barbuda) said that the Child Justice Act in effect had repealed the Juvenile Act; consequently children under 18 would be dealt with as children, not as adults. Nevertheless, there was still progress to be made in the mentality of the population, especially in the educational system.

26. She thanked the Committee for its role in the constructive dialogue, which had helped to shed light on areas for improvement. Antigua and Barbuda was a small country of limited resources, but it was eager to continue making progress in protecting and promoting children's rights.

27. **Ms. Skelton** (Country Rapporteur), noting that the State party had taken action on many of the recommendations contained in the Committee's concluding observations on the State party's previous report (CRC/C/15/Add.247), said that the Committee welcomed the tremendous strides made by the State party in the area of children's rights, including by passing a number of legislative reforms. Implementing those reforms, however, would require additional efforts and careful budgeting. The shortage of personnel such as social workers and patrol officers might be overcome by making bursaries available. She welcomed the information on the steps taken to improve the situation of the Boys' Training School and on the new data-collection system to be introduced, which she hoped would include children with disabilities. Finally, although the size of small States was often seen as a disadvantage, with the necessary will and strategy, it was possible to reach all the children of the State.

The meeting rose at 4.15 p.m.