



Convention on the Rights of the Child

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Committee on the Rights of the Child

Concluding observations on the second periodic report of Saint Kitts and Nevis*

I. Introduction

1. The Committee considered the second periodic report of Saint Kitts and Nevis¹ at its 2854th and 2856th meetings,² held virtually on 16 and 17 January 2025, and adopted the present concluding observations at its 2876th meeting, held on 31 January 2025. In the present document, the Committee uses the term “child” to refer to a person who is under 18 years of age.

2. The Committee welcomes the submission of the second periodic report of the State party and the written replies to the list of issues,³ which allowed for a better understanding of the situation of children’s rights in the State party. The Committee expresses its appreciation for the constructive dialogue held virtually with the high-level and multisectoral delegation of the State party.

II. Follow-up measures taken and progress achieved by the State party

3. The Committee welcomes the progress achieved by the State party in various areas, including the adoption of the Child (Care and Adoption) Act and the Child Justice Act, in 2013, the revision of the Gang (Prohibition and Prevention) Act, in 2017, the adoption of the Freedom of Information Act, in 2018, the National Social Protection Strategy and Plan of Action, in 2021, and the National Child Protection Protocol, in 2022, and the increase in budgetary resources to implement children’s rights.

4. The Committee also welcomes the ratification of the following instruments:

- (a) Convention on the Rights of Persons with Disabilities, in 2019;
- (b) Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, in 2020.

III. Main areas of concern and recommendations

5. The Committee recommends that the State party ensure the realization of children’s rights in accordance with the Convention, throughout the process of implementing the 2030 Agenda for Sustainable Development. It urges the State party

* Adopted by the Committee at its ninety-eighth session (13–31 January 2025).

¹ CRC/C/KNA/2.

² See CRC/C/SR.2854 and CRC/C/SR.2856.

³ CRC/C/KNA/RQ/2.



to ensure the meaningful participation of children in the design and implementation of policies and programmes aimed at achieving all 17 Sustainable Development Goals as far as they concern children.

A. General measures of implementation (arts. 1, 4, 42 and 44 (6))

Previous recommendations of the Committee

6. The Committee recommends that the State party take all measures necessary to address the recommendations contained in its previous concluding observations, adopted in 1999, that have not been implemented or have been implemented insufficiently, in particular those related to coordination,⁴ data collection,⁵ independent monitoring,⁶ the best interests of the child,⁷ respect for the views of the child,⁸ corporal punishment⁹ and education.¹⁰

Legislation

7. While noting the information that the State Party has started national consultations aimed at amending the child legislation, the Committee is concerned that:

(a) The Convention is not fully incorporated into domestic legislation and practice, in particular the Marriage Act, the Child Justice Act, the Education Act and the Defence Force Act;

(b) The Social Protection Bill is still in draft form.

8. The Committee recommends that the State party:

(a) Review and bring national legislation and practice, including the Marriage Act, the Child Justice Act, the Education Act and the Defence Force Act, into full conformity with the Convention;

(b) Swiftly adopt the Social Protection Bill;

(c) Review the child protection and child justice legislation and adopt the amendments identified during the national consultations.

Comprehensive policy and strategy

9. The Committee is concerned that there is no comprehensive policy on children in the State party.

10. The Committee recommends that the State party develop a comprehensive policy on children that encompasses all areas covered by the Convention and, on the basis of the policy, develop a strategy with the elements necessary for its application and supported by sufficient human, technical and financial resources.

Coordination

11. The Committee recalls its previous recommendations¹¹ and recommends that the State party review the Probation and Child Welfare Board Act with the aim of providing the Board with the mandate to coordinate all activities relating to the implementation of the Convention at the cross-sectoral, national, regional and local levels. The State party should ensure that the coordinating body is provided with the human, technical and financial resources necessary for its effective operation.

⁴ [CRC/C/15/Add.104](#), para. 10.

⁵ Ibid., para. 11.

⁶ Ibid., paras. 10 and 13.

⁷ Ibid., para. 17.

⁸ Ibid., para. 18.

⁹ Ibid., para. 20.

¹⁰ Ibid., para. 28.

¹¹ Ibid., para. 10.

Allocation of resources

12. While welcoming the Budget 2024 Community Consultations and the Budget 2025 Community Consultations currently under way, the Committee is concerned that:

- (a) The budget allocations in the Nevis Administration are inadequate for the population;
- (b) The budget process is neither adequately participatory nor transparent, particularly with regard to social protection and child development allocations, nor is it child focused.

13. **Recalling its general comment No. 19 (2016) on public budgeting for the realization of children's rights, the Committee recommends that the State party:**

- (a) **Revise the budget allocations in Nevis to meet children's needs;**
- (b) **Conduct a comprehensive assessment of the budgetary needs of children and allocate adequate resources, in accordance with article 4 of the Convention, for the implementation of children's rights and, in particular, increase the budget allocated to social protection and child development;**
- (c) **Utilize a child rights-based approach in the elaboration of the State budget by implementing a tracking system for the allocation and use of resources for children throughout the budget and for impact assessments on how investments in any sector can serve the best interests of the child, ensuring that the impact of such investment is measured;**
- (d) **Ensure transparent and participatory budgeting through public dialogue, especially with children, and for the proper accountability of local authorities.**

Data collection

14. **Recalling its general comment No. 5 (2003) on general measures of implementation of the Convention, the Committee reiterates its previous recommendations¹² and recommends that the State party:**

- (a) **Expeditedly improve its data collection system and ensure that data collected on children's rights cover all areas of the Convention, particularly children with disabilities, violence against children and social protection, with data disaggregated by age, sex, disability, geographical location and socioeconomic and migrant status in order to analyse the situation of children, particularly those who are vulnerable;**
- (b) **Ensure that statistical data and indicators on children's rights are shared among the ministries concerned and used in the formulation, monitoring and evaluation of policies, programmes and projects for the effective implementation of the Convention;**
- (c) **Speedily ensure access to the child protection case management database, which is presently withheld by a private company;**
- (d) **Take into account the conceptual and methodological framework set out in the report of the Office of the United Nations High Commissioner for Human Rights (OHCHR) entitled "Human Rights Indicators: A Guide to Measurement and Implementation";¹³**
- (e) **Continue its technical cooperation with the United Nations Children's Fund (UNICEF), among other entities.**

¹² Ibid., para. 11.

¹³ United Nations publication, 2012.

Access to justice and remedy

15. The Committee is concerned that children do not have access to confidential, child-friendly and independent complaint mechanisms in schools, foster care systems, alternative care and detention settings.

16. **The Committee recommends that the State party:**

(a) Ensure that all children have access to: (i) confidential, child-friendly and independent complaint mechanisms in schools, foster care systems and alternative care and detention settings for reporting all forms of violence, abuse, discrimination and other violations of their rights; and (ii) legal support and age-appropriate information on access to counselling and remedies, including compensation and rehabilitation;

(b) Raise awareness among children of their right to file a complaint under existing mechanisms;

(c) Ensure systematic and mandatory training for all relevant professionals working with children on child-friendly procedures and remedies, children's rights and the Convention.

Independent monitoring

17. The Committee recalls its previous recommendations¹⁴ and recommends that the State party:

(a) Expediently establish an independent mechanism for monitoring children's rights able to receive, investigate and address complaints by children in a child-sensitive and child-friendly manner;

(b) Guarantee the independence of such a monitoring mechanism, including with regard to its funding, mandate and immunities, to ensure its full compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles);

(c) Strengthen the institutions that currently promote and protect children's rights, ensuring their independence and adequate funding for their mandates, including public campaigns and awareness-raising activities;

(d) Seek technical cooperation from OHCHR, UNICEF and the United Nations Development Programme, among other entities.

Dissemination of the Convention and awareness-raising

18. The Committee is concerned that the Convention is not well known, except among the professionals working with and for children, and is not disseminated within the State party.

19. **The Committee recommends that the State party:**

(a) Strengthen its awareness-raising programmes, including campaigns, in cooperation with civil society organizations to ensure that the Convention is widely known by the general public, including parents and children;

(b) Promote the active involvement of children in public outreach activities, including in measures targeting parents, social workers, teachers and law enforcement officials.

Cooperation with civil society

20. The Committee is concerned that civil society organizations in the State party have limited involvement with and focus on child rights.

21. **The Committee recommends that the State party systematically involve communities and civil society, including non-governmental organizations, in the**

¹⁴ CRC/C/15/Add.104, para. 13.

planning, implementation, monitoring and evaluation of policies, plans and programmes relating to children's rights.

B. General principles (arts. 2, 3, 6 and 12)

Non-discrimination

22. The Committee is concerned that children are discriminated against in terms of equal and full access to basic protection, educational, mental health and health services and disaster response, in particular children with disabilities, girls and lesbian, gay, bisexual, transgender and intersex children.

23. **The Committee recommends that the State party:**

(a) Strengthen its implementation of the existing legislation, policies, strategies and action plans relating to non-discrimination with regard to children and prohibit discrimination against children based on sexual orientation;

(b) Increase its efforts to end discrimination against children in disadvantaged situations, including children with disabilities, girls and lesbian, gay, bisexual, transgender and intersex children;

(c) Systematically conduct media campaigns to change social norms and behaviours that contribute to discrimination, raise public awareness regarding the prohibition of discrimination and promote tolerance and respect for diversity.

Best interests of the child

24. Recalling its general comment No. 14 (2013) on the right of the child to have his or her best interests taken as a primary consideration, the Committee reiterates its previous recommendations¹⁵ and recommends that the State party:

(a) Ensure that the right of children to have their best interests taken as a primary consideration is appropriately integrated and consistently interpreted and applied in all legislative, administrative and judicial proceedings and in all policies, programmes and projects that are relevant to and have an impact on children;

(b) Develop procedures and criteria to provide guidance to all relevant persons in authority for determining the best interests of the child in every area as a primary consideration;

(c) Establish compulsory processes for ex ante and ex post impact assessments of all laws and policies relevant to children regarding the right of children to have their best interests taken into account as a primary consideration.

Right to life, survival and development

25. The Committee is concerned about the high rate of homicide among children due to youth gang violence.

26. **The Committee recommends that the State party strengthen its efforts regarding the suppression of gangs and firearms control.**

Respect for the views of the child

27. Recalling its general comment No. 12 (2009) on the right of the child to be heard, the Committee reiterates its previous recommendations¹⁶ and recommends that the State party ensure that children's views are given due consideration, in accordance with article 12 of the Convention, in the family, at school, in court and in all relevant administrative and other processes concerning them through, inter alia, the adoption

¹⁵ Ibid., para. 17.

¹⁶ Ibid., para. 18.

of appropriate legislation, the training of professionals and the establishment of specific activities in schools.

C. Civil and political rights (arts. 7, 8 and 13–17)

Birth registration

28. While taking note of the information provided by the State party that the digitalization of medical records and birth registration is under way, the Committee is concerned that:

- (a) The record management process for birth registration is outdated and paper-based and thus subject to damage and loss;
- (b) In Nevis, parents must pay for the full cost of childbirth in order to receive a birth certificate.

29. **Taking note of target 16.9 of the Sustainable Development Goals, the Committee recommends that the State party:**

- (a) **Review its legislation on and the record management process for birth registration and speed up the digitalization of birth registration;**
- (b) **Abolish the requirement for the full cost associated with childbirth to be paid in order to receive a birth certificate, particularly in Nevis, and ensure that all children are properly registered at birth and have access to their birth certificate;**
- (c) **Consider ratifying the Convention relating to the Status of Stateless Persons and the Convention on the Reduction of Statelessness;**
- (d) **Seek technical assistance from the Office of the United Nations High Commissioner for Refugees and UNICEF, among others, for the implementation of the recommendations on birth registration.**

Access to appropriate information

30. The Committee notes the efforts of the State party to ensure that children have access to adequate and age-appropriate information. It is concerned, however, about their access to and adequate safeguards in the digital environment.

31. **Recalling its general comment No. 25 (2021) on children's rights in relation to the digital environment, the Committee recommends that the State party:**

- (a) **Enhance the digital literacy and skills of children, teachers and families and protect children from information and material harmful to their well-being;**
- (b) **Ensure the availability of and access to adequate and age-appropriate information on matters relating to children's rights and the environment;**
- (c) **Elaborate safeguards with a view to ensuring the rights of children in the use of artificial intelligence.**

D. Violence against children (arts. 19, 24 (3), 28 (2), 34, 35, 37 (a) and 39 of the Convention, and the Optional Protocol on the sale of children, child prostitution and child pornography)

Abuse, neglect, sexual abuse and exploitation

32. The Committee notes the adoption of the Domestic Violence Act 2011, the launch of the Domestic and Sexual Violence Complaints and Response Protocol, in 2018, and the national 90-day campaign aimed at the creation of a national plan of action but it is seriously concerned about:

- (a) The inadequate strategy for preventing and combating child abuse;
- (b) The exponential increase in reported cases of child abuse over the years, with a record of over 240 in 2018;

(c) Children experiencing bullying, stigmatization, discrimination and violence.

33. In the light of its general comment No. 13 (2011) on the right of the child to freedom from all forms of violence, the Committee reiterates its previous recommendations¹⁷ and urges the State party:

- (a) To update the strategy for preventing and combating child abuse and neglect and adopt a national plan of action;
- (b) To implement effectively the Domestic and Sexual Violence Complaints and Response Protocol and promptly finalize and launch the National Child Protection Protocol;
- (c) To ensure the mandatory reporting of all forms of violence against children, identify accessible focal points to receive reports, including by establishing a single toll-free national helpline or a website, and promote awareness among parents, professionals and children on the importance of reporting and on early intervention in cases of child abuse and violence;
- (d) To ensure that all cases of child abuse, including sexual abuse, are promptly investigated, applying a child-friendly and multisectoral approach with the aim of avoiding the revictimization of the child, that perpetrators are prosecuted and duly sanctioned and that reparations are provided to victims, as appropriate;
- (e) To ensure a child rights- and trauma care-based approach in the provision of support services for victims and that such services and support are also available for and address the specific needs of all child victims of violence;
- (f) Ensure that children who experience bullying, stigmatization, discrimination, harassment or violence receive protection and support.

Corporal punishment

34. The Committee notes that the Child Justice Act abolished corporal punishment as a judicial sentence for children but is concerned that further reform is necessary to entirely remove whipping as a judicial penalty from the statute books. Recalling its general comment No. 8 (2006) on the right of the child to protection from corporal punishment and other cruel or degrading forms of punishment, the Committee reiterates its previous recommendations¹⁸ and urges the State party:

- (a) To explicitly prohibit corporal punishment in law and practice in all settings, including in the home, schools, childcare institutions and alternative care settings and in the administration of justice;
- (b) To promote positive, non-violent and participatory forms of child-rearing and discipline;
- (c) To conduct awareness-raising campaigns for parents and professionals working with and for children to promote attitudinal change within the family and the community with regard to corporal punishment.

Harmful practices

35. The Committee is deeply concerned that, although the minimum age for marriage is set at 18 years of age, exceptions allow for marriage as early as 15 years of age.

36. Recalling joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child (2019) on harmful practices, and taking note of target 5.3 of the Sustainable Development Goals, the Committee urges the State party:

¹⁷ CRC/C/15/Add.104, para. 25.

¹⁸ Ibid., para. 20.

(a) To develop awareness-raising campaigns and programmes on the harmful effects of child marriage on the physical and mental health and well-being of children, targeting households, local authorities, religious leaders and judges and prosecutors;

(b) To establish protection schemes for victims of child marriage who file a complaint;

(c) To take active measures to put an end to that harmful practice against children in the State party.

Gang violence

37. The Committee is deeply concerned that the climate of fear, insecurity, threat and violence linked to youth gangs impedes children from enjoying their childhood and adolescence.

38. **The Committee urges the State party:**

(a) To evaluate the effectiveness of the Gang (Prohibition and Prevention) Act;

(b) To develop comprehensive strategies to effectively tackle youth gangs and establish a gang-prevention steering committee to provide leadership, technical assistance and recommendations for addressing youth gang-related problems;

(c) To address the social factors and root causes of gang violence and crime linked to drugs among adolescents, including by means of policies for the social inclusion of marginalized adolescents;

(d) To adopt programmes that provide children in gangs with assistance and protection to enable them to leave gangs and be reintegrated into society.

E. Family environment and alternative care (arts. 5, 9–11, 18 (1) and (2), 20, 21, 25 and 27 (4))

Family environment

39. The Committee is concerned that parental responsibilities are not equally shared and that there is no legal recourse for children whose fathers have migrated abroad and have not arranged for their maintenance.

40. **The Committee reiterates its previous recommendations¹⁹ and recommends that the State party:**

(a) Ensure that mothers and fathers have equal legal responsibility for their children, in accordance with article 18 (1) of the Convention;

(b) Consider ratifying the Convention on the International Recovery of Child Support and Other Forms of Family Maintenance and the Convention on Jurisdiction, Applicable Law, Recognition, Enforcement and Cooperation in Respect of Parental Responsibility and Measures for the Protection of Children.

Children deprived of a family environment

41. While noting the information provided by the State party on the establishment of the Out of Home Placement Unit, the Committee is concerned about:

(a) The insufficient support to families to prevent the need for the removal of the child from the family;

(b) The shortage of foster parents and family- and community-based settings for children;

(c) The irregular monitoring of children in alternative care, particularly in Saint Kitts;

¹⁹ Ibid. para. 22.

(d) The fact that the New Horizons Juvenile Rehabilitation Centre houses both children in need of alternative care and children in conflict with the law.

42. Drawing the State party's attention to the Guidelines for the Alternative Care of Children, the Committee recommends that the State party:

(a) Ensure that policies and practices are guided by the principle that financial and material poverty, or conditions directly and uniquely attributable to such poverty, should never be the sole justification for removing a child from parental care, for receiving a child into alternative care or for preventing a child's family reintegration;

(b) Ensure sufficient alternative family- and community-based care options for children who cannot stay with their families, including by allocating sufficient financial resources to the National Foster Care Programme, including for adoption, and facilitate the reunification of children with their families when it is in their best interests;

(c) Consider establishing a database of and assistance and training for foster families to increase their retention;

(d) Establish quality standards for all alternative care settings, ensure the periodic review of children's placements in foster care and institutions and monitor the quality of care, particularly in Saint Kitts;

(e) Strengthen the capacity and integrated approach of professionals working with families and children, in particular family judges, law enforcement personnel, social workers and service providers, to ensure family-based alternative care responses and to enhance their awareness of the rights and needs of children deprived of a family environment;

(f) Ensure that children in need of alternative care are not placed with children in conflict with the law.

F. Children with disabilities (art. 23)

43. The Committee welcomes the establishment of the Disabilities Service Unit, in 2023, and the Spectrum Services Autism Centre in Saint Kitts, in 2018. It is concerned, however, that:

(a) There is no law or national policy on disability;

(b) Measures for the early and adequate identification of and support for children with disabilities are inadequate and no services are available for preschool children;

(c) Autism diagnoses are on the rise, there are lengthy delays for screening at the Spectrum Services Autism Centre and the current facilities and human resources do not cover the needs;

(d) Specialized transportation services for children with disabilities are not available;

(e) The social protection system does not adequately address the needs of children with disabilities;

(f) Children with disabilities are stigmatized.

44. Recalling its general comment No. 9 (2006) on the rights of children with disabilities, the Committee recommends that the State party adopt a human rights-based approach to disability, set up a comprehensive strategy for the inclusion of children with disabilities and:

(a) Continue developing and adopt the Saint Kitts and Nevis Disability Bill and complete the update of the Saint Kitts and Nevis Special Needs Policy to the Saint Kitts and Nevis Disability Policy;

- (b) **Implement effective early detection and intervention measures, including the provision of healthcare, accessible services and information for children with disabilities, especially in early childhood;**
- (c) **Ensure that children with autism are screened without delay and are fully integrated into all areas of social life and education, provide adequate training to professionals working with them and ensure that such children benefit effectively from early childhood development programmes based on scientific knowledge;**
- (d) **Provide specialized transportation services for children with disabilities;**
- (e) **Provide accessible and inclusive social protection services and benefits for children with disabilities;**
- (f) **Undertake awareness-raising campaigns aimed at government officials, the public and families to combat the stigmatization of and prejudice against children with disabilities and promote a positive image of children with disabilities as rights holders.**

G. Health (arts. 6, 24 and 33)

Health and health services

45. The Committee notes that the State party has a children's medical fund and a strong breastfeeding programme, including flexible working arrangements that allow mothers to breastfeed in the workplace. It is concerned, however, that:

- (a) The national health insurance programme does not cover surgery and that the out-of-pocket payments for healthcare are the highest in the region;
- (b) A high percentage of children are overweight or obese.

46. **Recalling its general comment No. 15 (2013) on the right of the child to the enjoyment of the highest attainable standard of health, the Committee recommends that the State party:**

- (a) **Expand the coverage of health services for children through public spending;**
- (b) **Continue to promote breastfeeding in the workplace through flexible working arrangements and awareness-raising campaigns;**
- (c) **Systematically collect data on food security and nutrition for children, including those relevant to breastfeeding, overweight and obesity, and systematically assess the nutritional value of the school feeding programme;**
- (d) **Develop a national nutrition policy.**

Mental health

47. The Committee is concerned that mental health services are not adequate to meet the needs of children.

48. **The Committee recommends that the State party develop a mental health strategy and strengthen the capacity of human resources, particularly child psychiatrists, psychologists and clinical counsellors specialized in children.**

Adolescent health

49. The Committee is concerned about:

- (a) The limited availability of age-appropriate sexual and reproductive health services and education;
- (b) The high incidence of early pregnancy, the criminalization of abortion and the limited access to contraceptives;

(c) The high prevalence of drug use, particularly cannabis, among children as young as 10 years of age.

50. Recalling its general comments No. 4 (2003) on adolescent health and development in the context of the Convention and No. 20 (2016) on the implementation of the rights of the child during adolescence, the Committee recommends that the State party:

(a) Adopt a comprehensive sexual and reproductive health policy for adolescents and ensure that sexual and reproductive health education is part of the mandatory school curriculum and targeted at adolescents, with special attention to preventing early pregnancy and sexually transmitted infections;

(b) Ensure that all children and adolescents, including those who are out of school, receive confidential and child-friendly sexual and reproductive health information and services, including access to contraceptives;

(c) Decriminalize abortion in all circumstances and ensure access to safe abortion and post-abortion care services for adolescent girls, ensuring that their views are always heard and given due consideration as a part of the decision-making process;

(d) Address the incidence of drug use by children and adolescents, *inter alia*, by providing children and adolescents with accurate and objective information and life-skills education on preventing all substance abuse, including of tobacco and alcohol, and develop accessible and child-friendly drug dependence treatment.

H. Standard of living (arts. 18 (3), 26 and 27 (1)–(3))

51. The Committee is concerned that over 30 per cent of children are living in poverty and that children living in female-headed households are particularly at risk of a lower standard of living.

52. The Committee recommends that the State party ensure that children and their families living in poverty, particularly female-headed households, receive adequate financial support and free and accessible services without discrimination.

I. Children's rights and the environment (arts. 2, 3, 6, 12, 13, 15, 17, 19, 24 and 26–31)

Impact of climate change on the rights of the child

53. The Committee notes the National Safe Schools Policy 2023, the new climate resilience unit within the Ministry of Sustainable Development, Environment, Climate Action and Constituency Empowerment and the investments made in renewable energy, water and agriculture to make them more climate resilient. It is concerned, however, about the negative effects of climate change, including water shortages, and the increase in the frequency and intensity of hurricanes, the loss of beaches and damage to coastal infrastructure, which expose children living in affected areas to poverty and affect their security, their nutritional and learning outcomes and their ability to realize their rights.

54. Recalling its general comment No. 26 (2023) on children's rights and the environment, with a special focus on climate change, the Committee recommends that the State party:

(a) Mainstream children's needs, vulnerabilities and views, including children with disabilities and migrant children, into key climate change and disaster risk policies and management;

(b) Collect disaggregated data identifying the types of risks faced by children from a variety of disasters in order to formulate relevant international, regional and national policies, frameworks and agreements;

- (c) Design and implement policies for sustainable safe water supplies and sanitation with a view to increasing access to sufficient safe drinking water and providing adequate sanitation for children, including by equipping schools with water storage tanks;
- (d) Ensure that buildings and infrastructure are safe for children and resilient to climate and natural hazards;
- (e) Increase children's awareness and preparedness for climate change and natural disasters by incorporating the subjects into the school curriculum and teacher training programmes;
- (f) Strengthen bilateral, multilateral, regional and international cooperation in implementing the recommendations and ensure the full implementation of the Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean (Escazú Agreement).

J. Education, leisure and cultural activities (arts. 28–31)

Aims and coverage of education

55. The Committee recalls its previous recommendations²⁰ and recommends that the State party:

- (a) Continue implementing the new curriculum in both primary and secondary schools and working on the revision of the Education Sector Act 2005;
- (b) Ensure that human rights education and the principles of the Convention are integrated into the new mandatory school curriculum and in teacher training and professional education, taking into account the framework of the World Programme for Human Rights Education;
- (c) Improve retention rates, in particular of boys, at the secondary school level by strengthening the programmes for empowering boys enrolled in secondary school and implementing the policy of a five-year course of secondary education, as mentioned in the State party's replies to the list of issues;²¹
- (d) Continue its efforts to support and assist pregnant teenagers and adolescent mothers in continuing their education in mainstream schools;
- (e) Continue to develop the expertise of teachers and institute other measures to support the integration of Spanish-speaking migrant children in schools;
- (f) Address the high dropout rates from the Advanced Vocational Educational Centre, including by revising the curriculum and allowing for flexibility regarding out-of-school obligations for students;
- (g) Allocate sufficient financial resources for the development and expansion of early childhood education based on a comprehensive and holistic policy of early childhood care and development;
- (h) Strengthen the monitoring of minimum standards for early childhood centres and improve access to early childhood education, especially for children from low-income households.

Inclusive education

56. The Committee notes the assignment of teaching assistants to classrooms and the introduction of adaptive equipment to create a more inclusive learning environment for children with disabilities in mainstream schools. It is concerned, however, that:

- (a) There is no inclusive education policy to guide programmatic interventions;

²⁰ CRC/C/15/Add.104, para. 28.

²¹ CRC/C/KNA/RQ/2, para. 71.

(b) There is a lack of support for schoolchildren with disabilities in terms of early childhood intervention, speech language pathologists, occupational therapists and audiologists;

(c) Cost remains an obstacle for access to private education and specialized care for children with disabilities.

57. The Committee recommends that the State party:

(a) **Develop an inclusive education policy;**

(b) **Ensure that all children with disabilities benefit from early childhood intervention and have access to inclusive education in mainstream schools, that the training of specialized teachers continues and that schools work with professionals, including speech language pathologists, occupational therapists and audiologists;**

(c) **Provide adequate human, financial and technical support to families of children with disabilities so that cost is not an obstacle for children in access to private education and specialized care.**

K. Special protection measures (arts. 22, 30, 32, 33, 35, 36, 37 (b)–(d) and 38–40 of the Convention, and the Optional Protocol on the involvement of children in armed conflict)

Asylum-seeking, refugee and migrant children

58. The Committee welcomes the adoption of the Anti-Smuggling of Migrants Bill in 2024 but is concerned that there is no national migration policy in the State party and that the migration governance indicators for Saint Kitts and Nevis have not yet been formalized.

59. **Recalling joint general comments No. 3 and No. 4 of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families/No. 22 and No. 23 of the Committee on the Rights of the Child (2017) on the human rights of children in the context of international migration, the Committee recommends that the State party formalize the migration governance indicators for Saint Kitts and Nevis and develop a national migration policy, as described in the State party's replies to the list of issues.²²**

Economic exploitation, including child labour

60. The Committee notes the Saint Kitts and Nevis Rapid Assessment on Child Labour, conducted in 2023, and the first meeting of the National Tripartite Committee on Child Labour in June 2024. It is concerned, however, that the law allows for the part-time employment of children from 12 years of age onwards.

61. **Taking note of target 8.7 of the Sustainable Development Goals, the Committee recommends that the State party prohibit child labour, in line with internationally accepted standards, and improve data collection and reporting on child labour.**

Trafficking

62. The Committee welcomes the enactment of the Trafficking in Persons (Prevention) Act 2008 but is concerned that there is no information on the trafficking of children in the State party.

63. The Committee recommends that the State party:

(a) **Allocate sufficient resources for the implementation of the Trafficking in Persons (Prevention) Act;**

(b) **Conduct awareness-raising activities to make both parents and children aware of the dangers of trafficking.**

²² Ibid., para. 102.

Administration of child justice

64. The Committee welcomes the adoption of the Child Justice Act in 2013, the establishment of the Child Justice Committee in 2019 and the training workshop on restorative justice, criminal mediation and child justice in 2024. The Committee is seriously concerned, however, about:

- (a) The slow progress on the legal and practical reform of the child justice system, including the establishment of a children's and family court;
- (b) The discretionary application of one of two ages of criminal responsibility and the minimum age of criminal responsibility, which is set too low;
- (c) The lengthy court procedures involving children in the administration of child justice;
- (d) The lack of legal aid for children alleged as, accused of or recognized as having infringed criminal law in Nevis.

65. **Recalling its general comment No. 24 (2019) on children's rights in the child justice system, the Committee urges the State party to bring its child justice system fully into line with the Convention and other relevant standards. In particular, the Committee urges the State party:**

- (a) **To implement the proposed amendments to the Child Justice Act and expeditiously establish the children's and family court and procedures with adequate human, technical and financial resources, designate specialized judges for children and ensure that such specialized judges receive appropriate training;**
- (b) **Raise the legal age of criminal responsibility to at least 14 years of age;**
- (c) **Speed up court procedures involving children in the administration of child justice and actively promote non-judicial measures, such as diversion and mediation for children alleged as, accused of or recognized as having infringed criminal law and, wherever possible, the use of non-custodial sentences for children, such as probation or community service, and ensure that health and psychosocial services are provided to such children;**
- (d) **Ensure the provision of free and specialized legal aid in Nevis to children alleged as, accused of or recognized as having infringed criminal law at an early stage of the procedure and throughout the legal proceedings.**

L. Ratification of the Optional Protocols to the Convention

66. The Committee recommends that the State party ratify the Optional Protocol to the Convention on the involvement of children in armed conflict, the Optional Protocol on the sale of children, child prostitution and child pornography and the Optional Protocol on a communications procedure.

M. Ratification of international human rights instruments

67. The Committee recommends that the State party, in order to further strengthen the fulfilment of children's rights, consider ratifying the following core human rights instruments:

- (a) **International Covenant on Civil and Political Rights;**
- (b) **Optional Protocol to the International Covenant on Civil and Political Rights;**
- (c) **Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty;**
- (d) **Optional Protocol to the International Covenant on Economic, Social and Cultural Rights;**

- (e) Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;
- (f) International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families;
- (g) International Convention for the Protection of all Persons from Enforced Disappearance;
- (h) Optional Protocol to the Convention on the Rights of Persons with Disabilities.

N. Cooperation with regional bodies

68. The Committee recommends that the State party cooperate with the Organization of American States (OAS) on the implementation of the Convention and other human rights instruments, both in the State party and in other OAS member States.

IV. Implementation and reporting

A. Follow-up and dissemination

69. The Committee recommends that the State party take all appropriate measures to ensure that the recommendations contained in the present concluding observations are fully implemented and that a child-friendly version is disseminated to, and made widely accessible for, children, including those in the most disadvantaged situations. The Committee also recommends that the second periodic report, the written replies to the list of issues and the present concluding observations be made widely available in the languages of the country.

B. National mechanism for reporting and follow-up

70. The Committee recommends that the State party strengthen its national mechanism for implementation, reporting and follow-up and ensure that it has the mandate and the adequate human, technical and financial resources to coordinate and engage with, and prepare reports to, international and regional human rights mechanisms and to coordinate and track national follow-up to, and the implementation of, treaty obligations and the recommendations and decisions emanating from such mechanisms effectively. The Committee emphasizes that such a structure should be adequately and continuously supported by dedicated staff and should have the capacity to consult systematically with the national human rights institution and civil society.

C. Next report

71. The Committee will establish and communicate the due date of the combined third to ninth periodic reports of the State party in due course, in line with the envisaged predictable reporting calendar and following the adoption of a list of issues and questions prior to reporting, if applicable, for the State party. The reports should be in compliance with the Committee's harmonized treaty-specific reporting guidelines²³ and should not exceed 21,200 words.²⁴ In the event that reports exceeding the established word limit are submitted, the State party will be asked to shorten the reports. If the State party is not in a position to review and resubmit the reports, translation thereof for the purposes of consideration by the Committee cannot be guaranteed.

²³ CRC/C/58/Rev.3.

²⁴ General Assembly resolution 68/268, para. 16.