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Country:

St. Kitts and Nevis

Year:

2015

FIW Status:

F

PR Rating:

1

CL Rating:

1

Aggregate Score:

90

Combined Freedom Score:

1.0

Overview:

Throughout 2014, members of the government continued to fight a no-confidence motion that was submitted by the opposition in 2012, pursuing the matter in court. The motion, brought by former members of the ruling Saint Kitts and Nevis Labor Party (SKNLP), has been an ongoing source of tension within the party itself, and has had negative effects on coordination and agreement among various factions of the government.

Political Rights and Civil Liberties:

Political Rights: 37 / 40 **[Key]**

A. Electoral Process: 12 / 12

The federal government consists of the prime minister, the cabinet, and the unicameral National Assembly. A governor general represents the British Monarch as ceremonial head of state. Elected National Assembly representatives—eight from Saint Kitts and three from Nevis—serve five-year terms. In addition, the governor general appoints three senators and the attorney general, who is also a senator, with advice from the prime minister and the leader of the opposition.

The 2010 parliamentary elections were deemed generally free and fair. Denzil Douglas of the ruling SKNLP won a fourth term as prime minister. The SKNLP captured six seats, and the opposition People's Action Movement (PAM) won two seats as representatives from Saint Kitts. For the Nevis seats, the pro-independence Concerned Citizens' Movement (CCM) and the Nevis Reformation Party (NRP) retained two seats and one seat, respectively.

The Nevis Island Assembly is composed of five elected and three appointed members. Local authorities are responsible for most governance matters with the exception of police services and foreign relations. The constitution grants Nevis the option to secede. The most recent Nevis Island Assembly elections were held in 2013 and were declared peaceful and fair by international observers. The opposition CCM captured three of the five seats, defeating the NRP to become the majority party.

In 2014, the prime minister proposed alterations to the boundaries of electoral districts to account for changes in population growth. The opposition accused the government of gerrymandering, questioning the methodology used to determine the boundaries. A legal challenge brought by the opposition resulted in a court ruling that alterations could proceed only if a special commission consulted with representatives of civil society and opposition to ensure impartiality and fairness. The government pledged to move forward with the process in time for the 2015 elections.

B. Political Pluralism and Participation: 16 / 16

People have the right to organize in different political parties and to form and operate new parties. The SKNLP and the PAM dominate politics. In 2013, former SKNLP ministers Timothy Harris and Sam Condor launched the People's Labour Party (PLP), aligned with the opposition. The PAM, the PLP, and the CCM are associated as an opposition bloc known as Team Unity.

C. Functioning of Government: 9 / 12

The speaker of the National Assembly, under pressure from the prime minister, continued to refuse to table the opposition's no-confidence motion. In February 2014, a High Court judge ruled that the motion must be allowed to proceed. The government appealed the case at the Eastern Caribbean Court of Appeal (ECCA), which stayed the High Court ruling in August, pending a full hearing. In October, the ECCA ruled that the High Court ruling was improperly made, and ordered a new hearing before a different judge. At year's end, the case was still ongoing, and the motion remained stalled.

Saint Kitts and Nevis has generally implemented its anticorruption laws effectively. The government reiterated that freedom of information legislation was a priority in 2013, but no bill was passed in 2014. The Integrity in Public Life Bill was passed in September 2013, but government officials are not required to disclose financial assets. The Financial Intelligence Unit investigates financial crimes, but no independent body is specifically empowered to handle allegations of governmental corruption.

Civil Liberties: 53 / 60**D. Freedom of Expression and Belief: 15 / 16**

There are several independent media outlets. The PAM-affiliated newspaper, *The Democrat*, enjoys a large readership. The government owns the sole local television station, and the opposition faces some restrictions on access. In addition to both government and private radio stations, there is one privately owned daily newspaper, and political parties publish weekly newspapers. Internet access is not restricted.

Freedom of religion is constitutionally protected, and academic freedom is generally honored.

E. Associational and Organizational Rights: 12 / 12

The rights to form associations and public assembly are generally respected. In 2014, Team Unity organized an antigovernment march, which proceeded peacefully and without interference.

Workers may legally form unions. A union can engage in collective bargaining only if more than 50 percent of the company's employees are union members. The right to strike, while not specified by law, is generally respected in practice.

F. Rule of Law: 13 / 16

The judiciary is largely independent, and legal provisions for a fair and speedy trial are generally observed. The highest court is the Eastern Caribbean Supreme Court, but under certain circumstances, there is a right of appeal to the Trinidad-based Caribbean Court of Justice. Additionally, an appeal may be made to the Privy Council in London.

The rule of law continues to be challenged by the prevalence of drug-related crime, violence, and corruption. Law enforcement, particularly the Delta Squad, has been accused of using excessive force when conducting periodic raids. Prisons remain severely overcrowded.

Legal and societal discrimination against LGBT (lesbian, gay, bisexual, and transgender) people persists; same-sex sexual conduct between men is illegal and punishable with imprisonment of up to 10 years.

G. Personal Autonomy and Individual Rights: 13 / 16

Eminent domain laws allow the government to seize private property and business, and the government does not always provide adequate and timely compensation.

While domestic violence is criminalized, violence against women remains a serious problem. Only one woman serves in the National Assembly. The government passed equal pay for equal work legislation in 2012, but disparities remain.

Scoring Key: X / Y (Z)

X = Score Received

Y = Best Possible Score

Z = Change from Previous Year

Full Methodology

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