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U.S. Department of State

Antigua and Barbuda Country Report on Human Rights Practices for 1996

Released by the Bureau of Democracy, Human Rights, and Labor, January 30, 1997.

ANTIGUA AND BARBUDA

Antigua and Barbuda is a multiparty, parliamentary democracy and a member of the Commonwealth of Nations. A Prime Minister, a cabinet and a bicameral legislative assembly compose the Government. A Governor General, appointed by the British monarch, is the titular head of state, with largely ceremonial powers. Prime Minister Lester B. Bird's Antigua Labor Party (ALP) has controlled the Government and Parliament since 1976. During the last elections in March 1994, the ALP retained power by capturing 10 of 17 parliamentary seats, down from the 15 it held under the administration of V.C. Bird Sr., the current Prime Minister's father. The Governor General appoints the 15 senators, 11 with the advice of the Prime Minister and 4 with the advice of the opposition leader.

Security forces consist of a police force and the small Antigua and Barbuda Defence Force. The police are organized, trained, and supervised according to British law enforcement practices and have a reputation for respecting individual rights in the performance of their duties.

Antigua and Barbuda has a mixed economy with a strong private sector. Tourism is the most important source of foreign exchange earnings. The country is burdened by a large and growing external debt which remains a serious economic problem.

Although the Government generally respected constitutional provisions for political and civil rights, opposition parties complained that they received no coverage or opportunity to express their views on the government-controlled electronic media. Societal discrimination and violence against women also

continued to be problems.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom from:

a. Political and Other Extrajudicial Killing

There were no reports of political or other extrajudicial killings.

b. Disappearance

There were no reports of politically motivated disappearances.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The Constitution prohibits such practices, and the authorities generally respected these prohibitions.

Conditions at the lone, 18th-century-vintage prison are primitive and repairs are still being carried out a year after hurricane Luis hit Antigua. While the prison is not overcrowded, death row prisoners get exercise only three times a week, and all prisoners receive only one meal a day, consisting mostly of cornmeal mush and a small piece of fish or chicken. Prisoners are permitted to supplement their diet if their relatives are able to bring food to the prison.

d. Arbitrary Arrest, Detention, or Exile

The Constitution prohibits arbitrary arrest and detention, and the Government respects these provisions in practice. Criminal defendants have the right to a judicial determination of the legality of their detention. The police must bring detainees before a court within 48 hours of arrest or detention. Opposition leaders claim the Government has developed a pattern of arresting suspects on Fridays and holding them until Tuesdays in order to prolong the incarceration. Most of these cases involve youths suspected of narcotics violations.

There were no reports of involuntary exile.

e. Denial of Fair Public Trial

The judicial system is part of the Eastern Caribbean legal system and reflects historical ties to the United Kingdom. The Privy Council in London is designated by the Constitution as the final court of appeal, which is invariably employed in the case of death sentences. There are no military or political courts. The Constitution provides that criminal defendants receive a fair, open, and public trial. In capital cases only, the Government provides legal assistance at public expense to persons without the means to retain a private attorney. Courts can reach verdicts quickly, with some cases coming to conclusion in a matter of days.

There were no reports of political prisoners.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The Constitution prohibits such practices. Government authorities generally respect these prohibitions,

and violations are subject to effective legal sanction.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The Constitution provides for freedom of speech, the press, and other forms of communication. The authorities generally respect these provisions in practice. However, the Government dominates the electronic media--the only daily source of news--and effectively denies equal coverage to opposition parties. The Government owns one of the two general interest radio stations and the single television station. A religious station broadcasts without impediment. One of the Prime Minister's brothers owns the second radio station, and another brother is the principal owner of the sole cable television company. The government-controlled media report regularly on the Government's and the ruling party's activities but the opposition party has alleged that it is provided neither coverage in the electronic media, nor access.

The sole daily newspaper criticizes the Government on a variety of issues. When the newspaper tried to start a radio station, police shut down the station claiming that it did not have a license to operate. The owners sued the State for illegal search and seizure and claimed that their constitutional right to broadcast had been violated.

Political opposition parties and private sector organizations such as the Chamber of Commerce publish several weekly newspapers which offer a variety of opinions without government interference.

The Government does not restrict academic freedom.

b. Freedom of Peaceful Assembly and Association

The Constitution provides for the right of peaceful assembly. The police normally issue the required permits for public meetings, but sometimes deny them in order to avert violent confrontations. While the authorities placed some restrictions on demonstrations in the past, the opposition held numerous rallies, public meetings, and a large march with no interference.

c. Freedom of Religion

The Constitution provides for freedom of religion, and the Government respects this right in practice.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The law provides for these rights, and the Government respects them in practice.

There were no reports of forced expulsion of anyone having a valid claim to refugee status. The issue of provision of first asylum did not arise. However, government practice on refugee and asylum cases remains undefined.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

The Constitution provides for a multiparty political system accommodating a wide spectrum of political viewpoints. All citizens 18 years of age and older may register and vote by secret ballot. The Constitution requires general elections at least every 5 years. The law obligates the Government to hold

voter registration during a fixed period (of only 5 days) each year, and parties conduct their own registration drives free of government interference.

Except for a period in opposition from 1971 to 1976, the ALP has held power continuously since 1951. The opposition has charged that the ALP's longstanding monopoly on patronage and its influence over access to economic opportunities make it extremely difficult for opposition parties to attract membership and financial support. In 1992 public concern over