

Saint Vincent and the Grenadines

Mid-term Implementation Assessment



*Promoting and strengthening
the Universal Periodic Review*
<http://www.upr-info.org>



Introduction

1. Purpose of the follow-up programme

The second and subsequent cycles of the review should focus on, inter alia, the implementation of the accepted recommendations and the development of the human rights situation in the State under review.

A/HRC/RES/16/21, 12 April 2011 (Annex I C § 6)

The Universal Periodic Review (UPR) process takes place every four and one half years; however, some recommendations can be implemented immediately. In order to reduce this interval, we have created a follow-up process to evaluate the human rights situation two years after the examination at the UPR.

Broadly speaking, *UPR Info* seeks to ensure the respect of commitments made in the UPR, but also, more specifically, to give stakeholders the opportunity to share their opinion on the commitments. To this end, about two years after the review, *UPR Info* invites States, NGOs, and National Institutions for Human Rights (NHRI) to share their comments on the implementation (or lack thereof) of recommendations adopted at the Human Rights Council (HRC) plenary session.

For this purpose, *UPR Info* publishes a Mid-term Implementation Assessment (MIA) including responses from each stakeholder. The MIA is meant to show how all stakeholders are disposed to follow through on and to implement their commitments. States should implement the recommendations that they have accepted and civil society should monitor that implementation.

While the follow-up's importance has been highlighted by the HRC, no precise directives regarding the follow-up procedure have been set until now. Therefore, *UPR Info* is willing to share good practices as soon as possible and to strengthen the collaboration pattern between States and stakeholders. Unless the UPR's follow-up is seriously considered, the UPR mechanism as a whole could be adversely affected.

The methodology used by UPR Info to collect data and to calculate the index is described at the end of this document.

Geneva, 21 May 2014



Follow-up Outcomes

1. Sources and results

All data are available at the following address:

http://followup.upr-info.org/index/country/saint_vincent_and_the_grenadines

We invite the reader to consult this webpage since all recommendations, all stakeholders' reports, as well as the unedited comments can be found at the same internet address.

3 stakeholders' reports were submitted for the UPR. 6 NGOs were contacted. 2 UN agencies were contacted. The Permanent Mission to the UN was contacted. A National Human Rights Institution (NHRI) does not exist.

1 NGO responded to our enquiry. None of the UN agencies responded. The State under Review did not respond to our enquiry.

The following stakeholders took part in the report:

1. **NGOs:** (1) Global Initiative to End All Corporal Punishment of Children (GIEACPC)

IRI: 2 recommendations are not implemented, 0 recommendations are partially implemented, and 0 recommendations are fully implemented. No answer was received for 118 out of 120 recommendations and voluntary pledges.



2. Feedback on recommendations

Women & Children

Recommendation n°110: *Prohibit corporal punishment at school, at home and in public institutions for children and in the context of the administration of justice* (Recommended by France)

IRI: *not implemented*

+

Recommendation n°111: *Adopt pertinent legislative measures to prohibit all forms of corporal punishment against children and adolescents in any situation* (Recommended by Uruguay)

IRI: *not implemented*

Global Initiative to End All Corporal Punishment of Children (GIEACPC) response:

St Vincent and the Grenadines is a state party to the Convention on the Rights of the Child and is under an obligation to prohibit and eliminate all corporal punishment of children in all settings including the home. The continued legality and practice of corporal punishment is a serious violation of children's rights, and rejecting recommendations to prohibit corporal punishment is unjustifiable. The Juveniles Act 1952 confirms "the right of any parent, teacher or other person having the lawful control or charge of a juvenile to administer reasonable punishment to him" (art. 8). Corporal punishment is specifically authorised in the other articles in the Juveniles Act and in the Education Act 2005, the Juveniles (Approved Schools) Rules and the Corporal Punishment of Juveniles Act. A Child Justice Bill is under discussion (April 2014) in the context of the OECS Juvenile Justice Reform Project: this provides an immediate opportunity to repeal the above mentioned laws and to explicitly prohibit corporal punishment. However, we have not yet established whether or not prohibition is being proposed in this context.



Methodology

A. First contact

Although the methodology has to consider the specificities of each country, we apply the same procedure for data collection about all States:

1. We contact the Permanent Mission to the UN either in Geneva or New York;
2. We contact all NGOs that took part in the process. Whenever NGOs were part of coalitions, each NGO is contacted individually;
3. The National Institution for Human Rights is contacted, whenever one exists.
4. UN Agencies, which sent information for the UPR, are also contacted.

We post our requests to the States and send e-mails to NHRIs, NGOs and UN Agencies.

The purpose of the UPR is to discuss issues and share concrete suggestions to improve human rights on the ground. Therefore, stakeholders whose objective is not to improve the human rights situation are not contacted and those stakeholders' submissions are not taken into account.

However, since the UPR is meant to be a process that aims to share best practices among States and stakeholders, we take into account positive feedbacks from the latter.

B. Processing recommendations and voluntary pledges

The stakeholders that we contact are encouraged to use an Excel sheet, which we provide, that includes all recommendations received and voluntary pledges taken by the State reviewed.

Each submission is processed, whether the stakeholder has or has not used the Excel sheet. In the latter case, the submission is split among recommendations to which we think it belongs. Since such a task is more prone to misinterpretation, we strongly encourage stakeholders to use the Excel sheet.

If the stakeholder does not clearly mention whether the recommendation was “fully implemented” or “not implemented”, *UPR Info* usually considers the recommendation as “partially implemented”, unless the implementation level is obvious.

UPR Info retains the right to edit comments that are considered to not directly address the recommendation in question, when comments are too lengthy or when comments are defamatory or inappropriate. While we do not mention the



recommendations which were not addressed, they can be accessed unedited on the follow-up webpage.

C. Implementation Recommendation Index (IRI)

UPR Info developed an index showing the implementation level achieved by the State for both recommendations received and voluntary pledges taken at the UPR.

The **Implementation Recommendation Index (IRI)** is an individual recommendation index. Its purpose is to show an average of stakeholders' responses.

The *IRI* is meant to take into account stakeholders disputing the implementation of a recommendation. Whenever a stakeholder claims nothing has been implemented at all, the index score is 0. At the opposite, whenever a stakeholder claims a recommendation has been fully implemented, the *IRI* score is 1.

An average is calculated to fully reflect the many sources of information. If the State under Review claims that the recommendation has been fully implemented, and a stakeholder says it has been partially implemented, the score is 0.75.

Then the score is transformed into an implementation level, according to the table below:

Percentage:	Implementation level:
0 – 0.32	Not implemented
0.33 – 0.65	Partially implemented
0.66 – 1	Fully implemented

Example: On one side, a stakeholder comments on a recommendation requesting the establishment of a National Human Rights Institute (NHRI). On the other side, the State under review claims having partially set up the NHRI. As a result of this, the recommendation is given an *IRI* score of 0.25, and thus the recommendation is considered as “not implemented”.

Disclaimer

The comments made by the authors (stakeholders) are theirs alone, and do not necessarily reflect the views and opinions at UPR Info. Every attempt has been made to ensure that information provided on this page is accurate and not abusive. UPR Info cannot be held responsible for information provided in this document.

Contact

UPR Info

Rue de Varembé 3

CH - 1202 Geneva

Switzerland

Website:

<http://www.upr-info.org>



Phone:

+ 41 (0) 22 321 77 70

General enquiries

info@upr-info.org



<http://twitter.com/UPRInfo>



<http://www.facebook.com/UPRInfo>