

St. Vincent and the Grenadines 2021 UPR: Submission from St Vincent Planned Parenthood



St Vincent Planned Parenthood Association (SVPPA) is a Non – Governmental Organization affiliated to the IPPF through its membership of the CFPA. The aims and objectives of SVPPA are as follows: To provide Education, Information, Counselling and Clinical Services to the people of St Vincent and the Grenadines (SVG) thereby empowering them to make reasoned and thoughtful decisions regarding their Sexual and Reproductive health. The Association was founded in the 1960s to give women access to Family Planning and Sexual Reproductive health and Rights. It expanded to include all citizens of SVG as the need arose.

Today, SVPPA continues to champion Sexual Reproductive Health and Rights of women, men and youth in St Vincent and the Grenadines. The Association is well known for its Sexual Reproductive Health and Rights education programs with the Ministry of Education and its outreach for Gender Based Violence, LGBTQ+ and Children Rights in SVG. SVPPA continues to collaborate with likeminded institutions in these matters, such collaborations will be seen throughout this report.

Contact Information:

Email: svppaed@gmail.com

1784 456 1793 / 1784 533 1793

Facebook: St Vincent Planned Parenthood Association

Instagram: [plannedparenthoodsvg](https://www.instagram.com/plannedparenthoodsvg)

I. Human Rights Commitments of St. Vincent & the Grenadines

A. Scope of international obligations

1. St. Vincent has ratified a significant number of the core international human rights treaties, although it is not a party to all. The Convention on the Rights of the Child Optional Protocol on a communications procedure (“CRC Optional Protocol”) remains unratified.

B. Constitutional and legislative framework

2. St. Vincent is an electoral democracy. The Constitution provides for the election of 15 representatives to the unicameral House of Assembly. Six senators are also appointed to the chamber, four chosen by the government and two by the opposition; all serve five-year terms. The Prime Minister is the leader of the majority party. A Governor-General represents the British monarch as head of state.
3. The 1979 constitution remains in effect in SVG as a result of the rejection of the 2008 referendum for constitutional reform as stated during the 2016 Universal Periodic Review of St Vincent and the Grenadines (“2016 UPR”). Therefore, many positive human rights implications were not implemented to this date.

C. Institutional and human rights infrastructure and policy measures

4. During the 2016 UPR, St. Vincent did not accept any of the recommendations to establish an NHRI in accordance with the Paris Principles. Currently St. Vincent does not have an Ombudsman or a human rights institution of any kind.
5. St. Vincent has made little effort to be responsive to some of the recommendations received during the (“2016 UPR), the country’s ability to do so effectively would be greatly strengthened by the establishment of an institutionalized, permanent mechanism to coordinate Government engagement with international and regional human rights mechanisms aimed at implementing recommendations and carrying out required reporting.

D. Cooperation with the Office of the High Commissioner for Human Rights

6. As far as records indicate, there has been limited to no engagement with GOVSVG and the OHCHR with regards to seeking technical assistance in meeting its international human rights obligations or facilitating human rights training and education.

Recommendations to the Government:

7. Consistent with the recommendations issued during the 2016 Universal Periodic Review of St. Vincent and the Grenadines (“2016 UPR), SVPPA recommends:
 - a. Ratify international human rights instruments to which it is not yet a party, especially the CRC Optional Protocol and, with the support of international partners, establish a national human rights institution in accordance with the Paris Principles.
 - b. Establish an inter-ministerial, institutionalized mechanism to monitor and report on the implementation of recommendations from international human rights mechanisms in collaboration with non-governmental human rights organizations.

II. Implementation of international human rights obligations, considering applicable international humanitarian law

A. Equality and non-discrimination

8. The constitution prohibits discrimination based on sex, race, place of origin, political opinions, colour, or creed, but to date there is no specific legislation that addresses discrimination based on sexual orientation, gender identity, or social status.

B. Gender equality and women's rights

9. Women continue to face various forms of discrimination based on outdated cultural and gender norms. This includes gender-based violence (GBV); sexual harassment in the workplace and daily life; employment discrimination; income inequality; a lack of representation in electoral politics; and a paucity of women in positions of power in both the public and private sectors.
10. As stated in ("2016 UPR), "There is no existing legislation addressing the issue of sexual harassment; the law does not transparently prohibit marital rape; the Marriage Act provides a minimum legal age for marriage 15 years for girls and 16 years for boys; and employment legislation prohibits a woman over the age of eighteen from being employed at night in any 'industrial undertaking.'"
11. Since the 2016 UPR Report, intimate partner violence, sexual violence and child sexual abuse have seen dangerous spikes. These issues remain some of the most prevalent forms of gender-based violence in St. Vincent and the Grenadines. One of the most publicized such instances of intimate partner violence ended in the death of the female victim in February 2020. Not much later that year, another brutal murder because of intimate partner violence was recorded. <this sparked great public distain and outcry in the regards to domestic and intimate partner violence.
12. The new Domestic Violence Act ("DV Act") which was passed in 2015 introduced a comprehensive definition of domestic violence and made reporting of domestic violence obligatory. It has not since been amended despite the criticism on the financial burden it places on victims and the lack of role specifications of the crisis center.
13. The National Action Plan on Gender-Based Violence ("GBV Action Plan") adopted in 2015 by GOVSVG aimed to 1) eliminate gendered inequalities and attitudes which support gender-based violence and empower women and children; 2) eliminate all forms of gender-based violence through the adoption of a zero-tolerance approach; 3) address men's responsibility for reducing and eliminating gender-based violence; and 4) improve mechanisms measuring gender-based violence.
14. There is still need for an entity in place for the analysis of data around gender-based violence collected by the Family Court and the Police Force.
15. There are two Family Courts which are responsible for enforcing the protections outlined in the DV Act. However, domestic violence is not recognized as a criminal offence under the DV Act although the violation of an order relating to domestic violence result in criminal sanctions.
16. Access to justice for women and girls continues to be a hindered process due to lack of resources, empathy and general understanding of women's and girls' issues. There is a persistent cry of mistrust in reporting incidents of GBV and sexual abuse to police officers. Though after many years, the implementation of A Sexual Offences Unit within the Criminal Investigation Department (CID) became a reality and at least one female officer at every

location has indeed posed some comfort and ease in reporting. There remain many instances of GBV and sexual offences not effectively reported.

17. There is further action in the Police Department in the form of The Human Trafficking Unit, this unit was added in March 2012 but has been more functional in the pass four (4) years. They operate with very few members of the Police Force since then. Nevertheless, in mid-2020 They headed discussions on the amendments of The Human Trafficking Act.
18. As stated in the 2016 UPR report the then Assistant Commissioner of Police claimed that there is now procedure for officers to use a special form when handling a domestic violence situation which is then forwarded to the C.I.D. This process is intended to improve data collection on gender-based violence.
19. According to the 1995 Sexual Offences Act “Rape is a criminal offence. It is defined as where a male person has unlawful sexual intercourse with a female person without her consent knowing that she does not consent or is reckless as to whether she consents to the sexual intercourse”. The penalty for rape is imprisonment for life.
20. The Sexual Offences Act is currently in the amendment process. SVPPA along with many other Governmental entities including the Royal St. Vincent & Grenadines Police Force, have been in several sessions regarding this promising amendment. Pressing concerns such as the age of consent and how the term ‘consent’ is defined have been hot topics of debate during such sessions thus far.
21. Marion House continues to be an operational shelter and haven for domestic violence victims and children. They provide counselling, referral, skills training and information services to the public. It is one of the very few trusted institutions in SVG to provide such assistance.
22. Teenage pregnancy in previous years has raised some concerns. However, according to statistics from the Family Planning Department at The Milton Cato Memorial Hospital, from 2016 to 2019, there has been a slight decrease in teenage births, 2% lower in 2019 than it was in 2016 but 5% lower than in 2006. This may seem to be cause for a little celebration, however, there is residual worry due to reports of sexual abuse or statutory rape being the cause of many of these births.
23. A large majority of the respondents in the 2007/2008 Country Poverty Assessment of St. Vincent and the Grenadines (“SVG CPA”) identified sexual abuse of children a major societal problem. Data from a 2001 reproductive health survey by the Community Health Unit in SVG indicated that 48% of girls and 20% of boys said they were forced into their first sexual act.
24. Failure to implement many of the previous recommendations from the ‘2016 UPR, has seen numerous women and children homeless or permanently displaced. This then causes a ripple effect of poor decisions in sexual health practices, unemployment, mental health issues i.e., PTSD, depression, anxiety and many other related such problems.

Recommendations to Government:

25. In light of the above information, SVPPA recommends that St. Vincent and the Grenadines:
 - a. **Urgently create a safe and functional institution for victims of GBV and Sexual Abuse. Capacity building training for Police Officers and other law enforcement in GBV and Sexual abuse reporting.**

III. The rights of children

26. As of April 2014, the Juvenile Justice Bill was under discussion in the context of the OECS Project, with a view to revising it before presentation to Parliament. Though the bill was indeed revised, to this day it is not enforced in legal proceedings.
27. Child Friendly Schools continue to show progress in trying to provide a more welcoming learning environment for all children. However, there continue to be many short comings in the form of inclusive education for children with diagnosed disabilities I.e., Autism, ADHD, ADD, Dyslexia.
28. In September 2017, a 5-year-old child was sent home from his primary school due to his Autistic induced behavior at school one morning. His mother was strongly advised to enroll him in 'The School for Special Needs' because of the government-run primary school's inability to provide the best support for his issues. Even though the child was diagnosed as a functioning Autistic this still posed great difficulty for the administration and teachers at the school. The School for Special Needs is known as an institution for individuals with diagnoses that are labelled as non- functionable in normal society.

Recommendations to Government:

29. In light of the above information, SVPPA recommends that St. Vincent and the Grenadines:
 - a. **Create an inclusive education system, focusing on children with functional learning disabilities. Collaborate with specialists and institutions to train selected teachers in special education.**