

**Universal Periodic Review (39th session)
Contribution of UNESCO**

Saint Vincent and the Grenadines

I. Background and framework

<i>Title</i>	<i>Date of ratification, accession, acceptance or succession</i>	<i>Declarations /reservations</i>	<i>Recognition of specific competences of treaty bodies</i>	<i>Reference to the rights within UNESCO's fields of competence</i>
<i>Convention against Discrimination in Education 1960</i>	Succession: 22/01/1985	Reservation to this Convention shall not be permitted		Right to education
<i>Convention concerning the Protection of the World Cultural and Natural Heritage (1972)</i>	03/02/2003 Ratification			Right to take part in cultural life
<i>Convention for the Safeguarding of the Intangible Cultural Heritage (2003)</i>	25/09/2009 Ratification			Right to take part in cultural life
<i>Convention on the Protection and Promotion of the Diversity of Cultural Expressions (2005)</i>	25/09/2009 Accession			Right to take part in cultural life

II. Promotion and protection of human rights on the ground

A. Education

1. The 1979 Constitution of Saint Vincent and the Grenadines does not enshrine the right to education.¹ There is a provision protecting from discrimination based on sex, race, place of origin, political opinions, color or creed.

¹ <http://www.unesco.org/education/edurights/media/docs/10c5f60433595ab9e1284198fe86124b9a4bcea4.pdf>

2. The main law regulating education is the Education Act adopted in 2006.² Article 14 of this act states that “Subject to available resources and to this Act, all persons in Saint Vincent and the Grenadines are entitled to receive an education appropriate to their needs.” However, the right to education is a human right which should be enforced as a priority and not made conditional upon available resources. The act also states that education is compulsory from 5 to 16 years old and free in public schools, except for students who are not citizen of a Member State of CARICOM or of a Commonwealth country.

B. Freedom of opinion and expression

Constitutional and Legislative Framework

3. Freedom of conscience, expression, assembly and association are considered as fundamental rights in the Constitution of Saint Vincent and the Grenadines.³ Freedom of expression has constitutional protection (Article 10), and includes the freedom to receive and communicate information.
4. Defamation constitutes a crime in Saint Vincent and the Grenadines, mentioned in the Criminal Code (Chapter XVII, Article 274-281). The penalty for defamation can go up to two years imprisonment.⁴ In 2016, the country adopted the Cybercrimes Act which extends the scope of defamation to include online publications and carries punishment of high fines and up to seven years’ imprisonment.⁵
5. A Freedom of Information Act was adopted in 2003, recognizing the right to access information in the possession of public authorities.⁶

Implementation of legislation

6. The Telecommunications Act of 2000⁷ established the National Telecommunications Regulatory Commission.⁸ The National Commission is responsible for technical regulation and the setting of technical standards of telecommunications and to monitor and ensure licensing. The commission consists of three to five members, all of whom are appointed by the Minister responsible for telecommunications.
7. Furthermore, Saint Vincent and the Grenadines is a signatory of the treaty establishing the Eastern Caribbean Telecommunications Authority (Ectel). Ectel’s mission is to harmonize telecommunications regulation among member countries and to promote

² <https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/109008/135102/F21012>

³ <https://pdba.georgetown.edu/Constitutions/Vincent/stvincent79.html>

⁴ http://www.oas.org/juridico/english/mesicic3_svg_criminal.pdf

⁵ <http://www.assembly.gov.vc/assembly/images/stories/cybercrime%20bill%202016.pdf>

⁶ <http://rti-rating.org/wp-content/uploads/Saint-Vincent-and-the-Grenadines.pdf>

⁷ http://ntrc.vc/docs/about/telecom_act_2001_SRO_NO_1.pdf

⁸ <https://www.ntrc.vc/general/about-us/>

“open entry, market liberalisation and competition in telecommunications”.⁹

8. There is no national association of journalists in Saint Vincent and the Grenadines, though up until 2002 there existed the Media Workers Association of Saint Vincent and the Grenadines. There is no industry-wide code of conduct.

Safety of journalists

9. UNESCO has recorded no killing of journalists in Saint Vincent and the Grenadines since systematic reporting began in 2008.

III. Review and specific recommendations

A. Education

Legislative, regulatory and policy framework:

- It is difficult to identify relevant information on legislative, regulatory and policy framework in Saint Vincent and the Grenadines. Furthermore, UNESCO notes with concern that Saint Vincent and the Grenadines has not submitted report to UNESCO periodic consultations on UNESCO’s education-related standard-setting instruments, and notably on the Convention against Discrimination in Education, while being a State Party.

Alignment of ages

- According to the Education Act, compulsory education ends at 16 years old, while the minimum age for admission to employment is at 14 years old. Therefore, there is a risk of children drop out in favor of work. The State could be encouraged to raise the minimum age for employment to 16 years old, as expressed several times by the ILO Committee of Experts on the Application of Conventions and Recommendations.¹⁰

Gender

- The age of marriage is set to 15 years old for girls and 16 years old for boys. It is recognized that child marriage can affect their education, especially that of girls, therefore Saint Vincent and the Grenadines should be encouraged to amend its legislation in order to set a minimum age of marriage to 18 years old for boys and girls.¹¹

Corporal Punishment

- According to the Education Act, corporal punishment is allowed in schools (Article 52 of the Education Act). The State could be encouraged to promote non-violent forms of disciplines and prohibit corporal punishment.

⁹ <https://www.ectel.int/about-ectel/treaty/>

¹⁰ https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:4020731

¹¹ 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 on harmful practices, CEDAW/C/GC/31/CRC/C/GC/18, November 2014, para. 20.

Covid-19

- In order to avoid the spread of the Covid-19 pandemic, Saint Vincent and the Grenadines closed its public schools one week ahead of the normal Easter vacation, on 20th March 2020. Private schools were advised to follow the same rule but not compelled to do so.¹²
- On April 2020, the Ministry of Educations stated that it would continue to strengthen its eLearning modalities in order to ensure the continuity of education.¹³ An information and learning resources website of the Curriculum Development Unit was available online (www.svgcdu.org) and lessons were also aired on TV channel and social media platform. Guidelines for the safe opening of schools for the 2020-2021 school year were provided¹⁴ as well as training opportunities for educators and parents in Microsoft T365 and Teams.¹⁵
- In January, the reopening of schools has been further delated by one week but online classes were maintained, starting 11th of January.¹⁶

Specific recommendations:

10. Saint Vincent and the Grenadines should be encouraged to:

- Fully implement the Convention against discrimination in education, to which it is a party.
- Constitutionally enshrine the right to quality education for all.
- Raise the minimum age for employment to 16 years old in order to align it with the end of compulsory education and raise the minimum age of marriage to 18 years old for boys and girls.
- Legally prohibit corporal punishment and adopt measures to promote non-violent forms of discipline.
- Submit regularly comprehensive national reports for the periodic consultations on UNESCO's education-related standard-setting instruments, and notably on the Convention against Discrimination in Education.
- Share with UNESCO any relevant information to update its country profile on UNESCO's Observatory on the Right to Education.¹⁷

¹² <http://www.gov.vc/index.php/media-center/1215-schools-across-st-vincent-and-the-grenadines-to-close-one-week-early>

¹³ http://www.gov.vc/images/pdf_documents/Press_Release_Ministry_of_Education_To_Strengthen_Its_E-Learning_Modalities_To_Provide_Home-based_Learning.pdf

¹⁴ http://education.gov.vc/education/images/Stories/pdf/Recommendations-Comments_presented_to_the_Cabinet_of_Ministers.pdf

¹⁵ <http://education.gov.vc/education/index.php/news/95-training-opportunities-for-educators-and-parents-in-microsoft-365-and-teams>

¹⁶ <http://education.gov.vc/education/index.php/news/99-delayed-reopening-of-schools>

¹⁷ <http://www.unesco.org/education/edurights/index.php?action=countries&lng=en>

B. Freedom of opinion and expression

11. It is recommended that the Government decriminalize defamation, including through online publications, and place it within a civil code that is in accordance with international standards.¹⁸
12. The Government should enable a media ecosystem that fosters self-regulatory approaches and media independence.

C. Cultural rights

13. As a State Party to the Convention concerning the Protection of the World Cultural and Natural Heritage (1972)¹⁹, the Convention for the Safeguarding of the Intangible Cultural Heritage (2003)²⁰ and the Convention on the Protection and Promotion of the Diversity of Cultural Expressions (2005)²¹, Saint Vincent and the Grenadines is encouraged to fully implement the relevant provisions that promote access to and participation in cultural heritage and creative expressions and, as such, are conducive to implementing the right to take part in cultural life as defined in article 27 of the Universal Declaration of Human Rights and article 15 of the International Covenant on Economic, Social and Cultural Rights. In doing so, Saint Vincent and the Grenadines is encouraged to give due consideration to the participation of communities, practitioners, cultural actors and NGOs from the civil society as well as vulnerable groups (minorities, indigenous peoples, migrants, refugees, young peoples and peoples with disabilities), and to ensure that equal opportunities are given to women and girls to address gender disparities.

D. Freedom of scientific research and the right to benefit from scientific progress and its applications

14. **Saint Vincent and the Grenadines** did not submit its National Report on the implementation of the Recommendation on the Status of Scientific Researchers (1974) for the Second Consultation covering the period from 2013 to 2016 (<http://unesdoc.unesco.org/images/0025/002592/259256e.pdf>). Therefore Saint Vincent and the Grenadines is encouraged to report to UNESCO on the implementation of the newly adopted Recommendation on Science and Scientific Researchers (2017), which supersedes the 1974 Recommendation, on any legislative or other steps undertaken by it with the aim to ensure the application of this international standard-setting instrument paying a particular attention to the legal provisions and regulatory frameworks which ensure the implementation of human rights of scientific researchers, as well as human rights obligations related to science, the principle of non-discrimination, including urging

¹⁸ See for example, General Comments No 34. of the International Covenant on Civil and Political Rights (ICCPR), 2006 Recommendation of the 87th Session Human Rights Committee, the recommendations of the UN Special Rapporteurs on the Right to Freedom of Opinion and Expression, and Resolution 1577 (2007) of the Parliamentary Assembly of the Council of Europe.

¹⁹ Periodic Report available at: <http://whc.unesco.org/document/123037>

²⁰ Periodic Report not available

²¹ Periodic Report available at: <http://en.unesco.org/creativity/governance/periodic-reports/2017/saint-vincent-grenadines>

active promotion of women and girls entering scientific careers, as well as the scientists' rights of autonomy, freedom of research, expression and publication.