



**JOINT SUBMISSION OF THE UNITED NATIONS
SUB-REGIONAL TEAM FOR BARBADOS AND OECS
FOR THE THIRD CYCLE UNIVERSAL PERIODIC REVIEW
OF ST. VINCENT AND THE GRENADINES**

25 March 2021

This joint submission is being made on behalf of the United Nations Sub-regional Team for Barbados and the OECS (UNST) with reference to the 3rd cycle Universal Periodic Review of St. Vincent and the Grenadines (SVG). The sub-regional team commends the SVG government on its efforts to implement supported recommendations from the last UPR cycle, particularly regarding gender equality, gender-based violence, and the rights of the child. This submission discusses the status of implementation of SVG's second cycle UPR recommendations as well as key human rights developments in SVG.

On 2 January, 2020 Saint Vincent and the Grenadines took up its seat as a non-permanent member of the United Nations Security Council for a two-year term becoming the smallest nation to be elected to the governing body. On 1 November 2020, the country repeated history by becoming the smallest nation to chair to the Council for a one month period.

General elections were held in Saint Vincent and the Grenadines on 5 November 2020. Nomination day was 20 October 2020. The result was a fifth consecutive victory for the Unity Labour Party; the party won nine of the fifteen seats, gaining one seat.

COVID-19

The socio-economic effect of the COVID-19 crisis threatens to erode the last decade of development gains of Caribbean SIDS and undermines the region's capacity to achieve the Sustainable Development Goals (SDGs). The Eastern Caribbean is heavily reliant on the tourism industry, which for some countries contributes as much as 50% of GDP and provides jobs for up to one half of labour force in this region. It is expected that the COVID 19 crisis will have medium to longer term effects on social and economic sectors with negative consequences for economic growth, job creation, citizen security and the state's capacity to provide health and social services especially for those in vulnerable circumstances including children, youth, women, the elderly, persons with disabilities, and migrants.

The majority of Eastern Caribbean governments were swift to respond to global health crisis taking strong measures, including border closures and quarantine hours, to mitigate the spread of the virus. The measures taken successfully curbed community spread of the virus and healthcare systems were able to respond to COVID 19 cases without becoming overwhelmed. With the health emergency currently under control, Eastern Caribbean countries shifted focus to reopening their borders in an attempt to resuscitate their tourist economies which were shut down as a result of the global pandemic.

While Caribbean governments do their best to respond to the COVID-19 crisis, it is important to understand that, at this time of heightened global uncertainty, Caribbean countries are in dire need of international assistance. Without support to mitigate the socio-economic effects of the global pandemic, advancing human rights in the region will be substantially undermined by increasing joblessness, poverty, and inequality.

Acceptance of international norms

SVG previously ratified the majority of core international human rights treaties including CEDAW (1981) and CMW (2010). SVG noted recommendations to ratify additional human rights instruments including the optional protocols to the ICCPR, ICESCR and CAT. Consistent with that position, SVG has not ratified additional instruments since its second cycle UPR. Consultations with government officials indicate a hesitancy to undertake additional international human rights obligations in light of resource and capacity constraints.

Recommendations:

- Bring domestic legislation framework in line with the international human rights instruments to which St. Vincent and the Grenadines is a party.

National Mechanisms for Reporting and Follow-up

SVG supported and implemented recommendations to establish a mechanism for reporting and monitoring the implementation of human rights recommendations. Following its second cycle UPR, SVG established an inter-ministerial mechanism (or National Mechanism for Reporting and Follow-Up (“NMRF”), composed of representatives from different ministries and state agencies, tasked with preparing the country’s national human rights reports as well as monitoring the implementation of recommendations from human rights mechanisms.

Cooperation with treaty bodies

Although SVG noted the recommendation to submit its overdue treaty body reports, the country has taken measures to complete reports to the CEDAW, CMW, CRC and Human Rights Committees, including requesting capacity building support from the OHCHR.

Recommendations:

- Continue to seek technical assistance from the UN agencies and from OHCHR to assist with the preparation of the treaty body reports.

Cooperation with special procedures

SVG did not support the recommendations to extend a standing invitation to all special procedures and the country has not done so. SVG has not received any visit requests from special procedures since its second cycle UPR.

Recommendation:

- Extend a standing invitation to all thematic special procedures.

Cooperation with other international mechanisms and institutions

SVG supported and implemented recommendations to seek technical assistance in meeting its human rights commitments. Since its second UPR, in 2017, 2018, and 2019, the SVG Ministry of Foreign of Foreign Affairs collaborated with the OHCHR to conduct multiple capacity building workshops for government officials and civil society representatives on St. Vincent and the Grenadines obligations under CEDAW and CMW as well as its

commitments under the second cycle UPR.

Constitutional & legislative framework

St. Vincent and the Grenadines participated in the Organization of Eastern Caribbean States (“OECS”) **Family Law and Domestic Violence Legal and Judicial Reform Project (“OECS Project)**, which is significantly supported by the UNICEF Office for the Eastern Caribbean, and **the Juvenile Justice Reform Project (JJRP)**, a joint project between the OECS Commission and USAID, which resulted in new legislation and policies addressing the rights of women and children. These include:

- The **Domestic Violence Act of 2015**, which was passed 30 April 2015 and proclaimed November 16, 2016.
- The **Children (Care and Adoption) Act** which was passed in 2010 and was followed by Regulations to implement it.
- The **Status of Children Act of 2010** which was passed in 2011 and has been proclaimed
- The **National Action Plan to End Gender Based Violence 2015-2018**
- The **Child Justice Act 2019**.
- The **National Child Protection Policy Guidelines and Principles, National Child Protection Strategy & Action Plan, National Child Care & Adoption Procedures and the National Child Abuse Reporting Protocols and Guidelines** which were all launched in 2016 in collaboration with UNICEF. This was a first for the Eastern Caribbean countries.

National Human Rights Institutions

Although St. Vincent and the Grenadines supported recommendations to establish an NHRI in accordance with the Paris Principles, the country still does not have a human rights institution of any kind and has not taken any measures toward doing so. Consultations with government representatives indicates that resource and capacity constraints present major challenges to establishing a NHRI.

National Plans of Action on Human Rights (or specific areas)

In 2019 the OHCHR collaborated with the Ministry of Foreign Affairs on a capacity building workshop for government officials on the international human rights mechanisms, SVG’s human rights obligations and linking human rights recommendations with the SDGs. The OHCHR and SVG started preliminary discussions with the on establishing a National Recommendations Tracking Database (NRTD) for SVG which would serve as a tool to develop a national action plan on human rights.

Recommendation:

- Continue to seek technical assistance from the OHCHR on establishing a NRTD and developing a national action plan on human rights.

Equality & Non-discrimination

SVG received and noted multiple recommendations regarding LGBTI rights. SVG is a conservative, predominantly Christian society where non-heteronormative expression is deeply frowned upon. Similar to other Caribbean

countries, same sex relations between consenting adults in SVG is illegal. Although SVG's constitution has anti-discrimination language, neither the constitution nor legislation protects against discrimination on the basis sexual orientation or gender identity. Further, sexual acts between same-sex couples are illegal for both men and women in St. Vincent and the Grenadines.¹ Civil society activists report that LGBT people who live openly in society, particularly those from lower economic brackets, face stigma and discrimination, including challenges accessing basic health care, social services and greater difficulty finding jobs.

Although SVG has ratified international human rights treaties that requires the country to protect against discrimination on the grounds of sexual orientation or gender identity, there are no laws prohibiting discrimination on those grounds. LGBT activists indicate that the homosexual population does not identify themselves as belonging to a sexual minority group due to a "high level of fear" among homosexuals of stigma and discrimination. LBGTI persons are vulnerable to daily street harassment, family estrangement, homelessness, bullying, and violent threats and attacks. Gay persons also report discrimination in seeking employment, health services and housing.

In July 2019, two gay Vincentian men filed a legal challenge to laws criminalizing same-sex relations. The SVG case is one of four cases pending across the Caribbean region involving similar challenges. One of plaintiffs in the SVG case illustrated the importance of the legal challenge by observing that "some people say it's no issue because we do not prosecute anyone with these laws...but when you see the social backlash against challenging these laws, you know it has to happen."²

Recommendations:

- Continue to support initiatives to raise public awareness around non-discrimination and social inclusion.
- Decriminalize consensual sexual activity between persons of the same sex.

Human Rights and Climate Change

The SVG government supported and is implementing the recommendation to promote strategies to mitigate climate change with the support of UN agencies.

In 2017, SVG partnered with UNDP to implement a climate change public education programme. The campaign included the dissemination of posters and raising of banners in local communities highlighting specifically tailored climate messages as well as engagement with community members on climate impacts. The promotions included a climate song and video entitled, Climate Action, broadcast on local radio and television stations. The campaign has also saw engagement among the youth population with a photo and video competition and several school visits sensitizing the young people about climate change.

¹ **The Criminal Code, 1990 Edition 101 s.146 and s.148** states that any person who commits "buggery" is guilty of an offense and is to subject to imprisonment for ten years. Any person who commits an act of "gross indecency" with another person of the same sex is liable to imprisonment for five years. SVG LGBT activists indicate that these laws can be used to subject homosexuals to stigma and discrimination.

² <https://www.standard.co.uk/news/world/two-gay-men-exiled-from-st-vincent-challenge-old-british-colonial-laws-criminalising-homosexuality-a4220366.html>

In December 2019 SVG submitted its **National Adaptation Plan (NAP)** to the UNFCCC. The NAP development process was viewed as an opportunity to introduce integrated climate change adaptation into the country's long-term Climate Change Policy and Implementation Strategy and enable further alignment of adaptation and mitigation in the country's development planning and budgetary processes.

In July 2020, the UNDP successfully pitched and received approval for a USD 1.1M joint project, to help three regional governments, including SVG, to develop financing strategies in the Blue Economy and creating and enabling framework for SDG Investment.

The EU/CARIFORUM Strengthening Climate Resilient Health Systems Project – a joint project of the European Union and CARICOM that PAHO is coordinating – launched in December 2020. The project will advance public understanding of climate change effects and strengthen the ability of health systems to respond to climate-related health impacts. The EU/CARIFORUM Climate Change and Health Project will also assist regional nations in accessing funding for coping with climate change. The beneficiary countries include Barbados and the OECS (including SVG), the Bahamas, Belize, Cuba, Dominica, Dominican Republic, Guyana, Haiti, Jamaica, Suriname, and Trinidad and Tobago.

The **EnGenDER project** supports an integrated approach and includes the integration of gender equality and human-rights based approaches into disaster risk reduction, climate change adaptation, and environmental management frameworks and interventions, addressing the gaps to ensure gender-responsive and equal access to solutions.

Death penalty

SVG noted recommendations to abolish, or to establish a moratorium on, the death penalty and the country has not taken any steps to change its position on capital punishment. As is the case with other Caribbean countries, SVG falls under the jurisdiction of the London-based Judicial Committee of the Privy Council as the final court of appeal.³ The last execution in SVG occurred in 1995 and the last death sentence was handed down in 2008. Currently, there is one person on death row in St. Vincent and the Grenadines who was convicted for murder in 2002 and sentenced to death in 2004. His conviction was initially overturned but was reinstated in 2009. In 2017, the Privy Council ruled in favor of the death row inmate on a matter of due process which is now pending in lower court.

Since SVG's last UPR there has not been any national discussion regarding the abolition of the death penalty. Public support for the death penalty remains strong due to the popular perception of the death penalty as a deterrent to violent crime. However, in 2016, the government of SVG participated in a two-day regional meeting, sponsored by the OHCHR, on the legal status of the death penalty in the Eastern Caribbean region. The

³ In accordance with the *Pratt and Morgan v. Attorney General of Jamaica* decision, the Privy Council has not upheld a death sentence. The *Pratt and Morgan* decision has resulted in the near de facto abolition of the death penalty among OECS countries.

regional meeting served to promote dialogue among relevant Eastern Caribbean government officials regarding the legal status of the death penalty and its utility in crime control and prevention.

Prohibition of torture and cruel, inhuman or degrading treatment

Although SVG supported the recommendation to adopt measures to combat police abuse the country has not taken significant measures toward that end. There is no independent body such as a Police Complaints Authority to investigate complaints and prevent abuse and ill treatment by law enforcement officials. There are no records of law enforcement officers being prosecuted for misconduct though several allegations of misconduct have been made.

Conditions of detention

Although SVG supported the majority of recommendations regarding prison conditions and police misconduct, there is little evidence to suggest SVG took measures to implement recommendations.

There are two prison facilities in SVG with an official capacity of 588 individuals. The older facility, H.M. Prison located at White Chapel Road Kingston, and the newer Belle Isle Correctional Facility. Unlike other Caribbean countries, the two prison facilities have served to mitigate the problem of prison overcrowding that is widespread across the region. Conditions vary between the facilities at Kingstown and Belle Isle. Although Belle Isle is a marked improvement over the Old Kingstown prison, it should be noted that in 2018 prison authorities refused to house a double-amputee inmate who was sentenced to serve his time there citing that their facilities are not equipped for persons with disabilities.⁴In addition, a former prison officer alleges that there is a chronic staff shortage at the prison facilities. The officer suggested that the government needs hire at least 40 additional prison officers for both penitentiaries.⁵

Female prisoners accounted for 3.4% of the prison population.⁶ Positively, in October 2020 it was reported that the girl who in 2016 became the youngest person to be charged, convicted and jailed for murder in St. Vincent and the Grenadines, was among the exam takers who performed well in that year's Caribbean Secondary Education Certificate (CSEC) examinations. During the girl's incarceration she was not kept in general population and was provided support to continue her education.

Domestic Violence

[See discussion under Violence Against Women]

Right or area: 15.1. Administration of justice & fair trial

SVG supported recommendations to reduce the backlog of cases, to improve access to justice, and to sensitize judicial personnel on issues affecting vulnerable persons. The country has taken some measures to implement

⁴Barbados Today," St.Vincent and the Grenadines- Prisons 'refuse' double amputee inmate' <
<https://barbadostoday.bb/2018/05/31/st-vincent-and-the-grenadines-prisons-refuse-double-amputee-inmate/>>

⁵ [CITE]

⁶ <https://www.prisonstudies.org/country/st-vincent-and-grenadines>

those recommendations although there is still a significant amount of work to be done. Legal commentators commended the government for adding a second criminal court (in January 2020) but the Director of Public Prosecutions (DPP) indicated that the backlog of cases remains problematic. The DPP also indicates that the case backlog has resulted in a significant number of persons being held in pretrial detention.

Right or area: 21. Economic, social, and cultural rights – general measures of implementation

Right or area: 22.1. Right to an adequate standard of living

Right or area: 22.2. Right to food

SVG supported and is implementing recommendations to continue implementing its National Economic and Social Development Plan 2013-2025, strengthening the social safety net, reducing hunger and malnutrition, and combatting unemployment.

The 2013–2025 National Economic and Social Development Strategy (NESDS) aims to achieve sustainable economic growth, job creation and poverty reduction. Protection of the most vulnerable is one of its core strategies. The current generation of social protection programmes targets specific groups including income-poor infants, ‘at-risk’ and ‘unattached’ adolescents, teenage parents, single mothers and their families, and women in poor households.

Senior Economist in the Ministry of Finance, Economic Planning, Sustainable Development and Information Technology of St Vincent and the Grenadines, Giselle Myers, highlighted the vision of her country to put people at the center of development. She reiterated the government’s commitment to “leave no one behind” through the staging of a series of consultative processes for the VNR and through their continued effort to align their National Economic and Social Development Plan (2013 – 2025) with the 2030 Agenda.

In 2017 SVG received funding from the World Bank (WB) for the implementation of the Human Development Service Delivery Project. The project is designed to strengthen the quality of service delivery in education, improve the efficiency of social protection systems, and improve the effectiveness of labour market systems. The project will be implemented by the Ministry of Finance, Economic Planning, and Information Technology (MoFEP). The other participating ministries are the Ministry of Education, National Reconciliation, and Ecclesiastical Affairs (MOE); the Ministry of National Mobilization, Social Development, Family, Gender Affairs, Persons with Disabilities and Youth (MoNM); and the Ministry of Agriculture, Forestry, Fisheries, Rural Transformation, Industry and Labour (MoA).

Access to sexual and reproductive health and services

SVG supported and is implementing recommendations to strengthen Health and Family Life education programs and to combat adolescent pregnancy.

Couples and individuals have the right to decide the number, spacing, and timing of children and have the information and means to do so free from discrimination. The SVG government administers a national family planning programme through which the Ministry of Health provides free family planning services in all health-

care centres. While health clinics are equipped to distribute several types of contraceptives for women, NGOs report that traditional attitudes sometimes hamper the promotion of contraceptives, particularly to young women.⁷

Clinic nurses are directed to supply contraceptives to any girl or woman who asks for them and to advise them about birth control. However, due to a cultural attitude that it is not appropriate for schoolgirls to be sexually active, some nurses either to refuse to give them contraceptives or inform their mothers, or other persons, about their sexual activity.⁸

Abortion is illegal in SVG with a few exceptions; where the continuation of the pregnancy would involve risk to the life of the pregnant woman, or injury to her physical or mental health or of any existing children of her family, greater than if the pregnancy was terminated or if there is a substantial risk that, if the child were born, it would suffer from such physical or mental abnormality as to be seriously handicapped. There are also exceptions where the pregnancy is as a result of rape or incest. Even in these cases, the law provides that the pregnancy must be terminated in a hospital or other establishment approved for that purpose by the Chief Medical Officer. However, NGOs report that many clandestine abortions occur every year. A proper medical procedure is extremely expensive, so it is not an option for many women. Abortion generally receives little attention unless a woman becomes ill or dies. Doctors who perform the procedure do so in private clinics and are well known. They are not prosecuted for performing abortions but legislation does provide that a person who commits abortion is liable to 14 years imprisonment.⁹

Right to education

SVG supported and is implementing the recommendation to improve its education serviced delivery via implementation of its National Development Plan. According to UNICEF, the 2014–2015 education sector landscape included 125 early childhood care centres, 68 primary schools and 26 secondary schools together accommodating 26,668 children aged 1–19 years, including two schools for children with special needs. Both public and private institutions operate at all levels, and the role of the church is prominent in the delivery of education. While the existence of an improved network of public and private (or ‘government assisted’) schools that are free and accessible for children ages 5–16 is a considerable achievement, the quality of basic education is less than optimal due to the low number of fully trained teachers and, to a certain extent, the continuing disparity in academic success among girls and boys. The Government has struggled to improve the chronic shortage of qualified teachers through greater investments in the development of human capital.¹⁰

Free education does not translate to no cost, and poor (and economic migrant families, in particular) may find it difficult to meet the costs of transport, uniforms, shoes and textbooks. Additionally, pupils are frequently asked to bring paper, toilet paper and other basic items from home as a contribution to supplement local operating budgets. Poor children are disproportionately disadvantaged, particularly in families with more than one child

⁷ IWRAW Report

⁸ IWRAW Report

⁹ IWRAW Report; Criminal Code CAP 171 , s149.

¹⁰ <https://www.unicef.org/easterncaribbean/media/926/file/Situation-Analysis-of-Children-in-Saint-Vincent-and-the-Grenadines-2017.pdf>

attending school. Ongoing social safety net initiatives targeting these families require strategic adjustments and enhanced investments to achieve full coverage for the school feeding programme, book loan scheme and other student support services. Education in St. Vincent and the Grenadines differs greatly from other places around the world. Primary education is free, but as students move on to secondary, post-secondary or tertiary school, they must pay fees. Education is also not compulsory, meaning that children are not required to go to school. This is often used as an indicator of pervasive child labor that exists in SVG, and this may affect girls unevenly and be reflected in their representation in schools.¹¹

While the Government has made significant progress for education access and quality, recent national reports and analysis acknowledge several important challenges. Access does not always translate into quality of education. Too many children in SVG, especially boys, complete primary school without the basic skills needed to perform successfully in the areas of mathematics, language and science. This results in them struggling academically in secondary school and potentially dropping out at an early age. Although the dropout rate has declined from 3.2 per cent in 2009–2010 to 1.9 per cent in 2014–2015, the majority of dropouts occurs in form 3, with boys more likely to leave school early than girls. The 2007–2008 CPA report notes that dropout and absences from school in the lower economic consumption quintiles are attributed to a number of causes, including: illness; financial problems; truancy; not worth going/low interest; and finding employment as a means of improving their quality of life. Dropout rates for girls have declined as the country has recorded a moderate decline in teenage pregnancy rates.¹²

There are gender disparities in the choice of subjects young men and women take at those levels. Males outnumber females in the subjects (Science, Technology, Engineering and Mathematics) STEM, while females outnumber males in subjects traditionally associated with care giving. National and regional high stakes examinations continue to indicate deficiencies in literacy, numeracy and technology. Also, the proportion of learners achieving their full potential or achieving adequate skills remains small.

Discrimination against women

Advancement of women

SVG supported most of the recommendations regarding discrimination against women and it continues to implement measures toward that end.

Societal attitudes towards women and cultural gender norms result in various forms of discrimination against women which includes gender-based violence; 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.

¹¹<https://www.unicef.org/easterncaribbean/media/926/file/Situation-Analysis-of-Children-in-Saint-Vincent-and-the-Grenadines-2017.pdf>

¹²<https://www.unicef.org/easterncaribbean/media/926/file/Situation-Analysis-of-Children-in-Saint-Vincent-and-the-Grenadines-2017.pdf>

The Division of Gender Relations in the Ministry of Education, Innovation, Gender Relations and Sustainable Gender equality and women's rights. The Gender Affairs Division along with other government agencies and ministries is engaged in gender mainstreaming programmes and gender policy development. One of the expected results of these efforts is the increased participation of women in the design, implementation and monitoring of social, political and economic policies. However, these mechanisms need to be strengthened because the nature of the administrative presence of women in political and public life suggests that women have only the opportunity to implement rather than influence the formulation of domestic policies and decisions.

In 2017 the ILO projected that approximately 65% of females ages 15-64 were participating in the labour force when compared to 80% of males ages 15+. These women, account for approximately 42% of the work force. Many in St. Vincent and the Grenadines are employed in the agriculture (primarily banana) and tourist industries. Under the law, women have equal opportunity to employment and are officially subject to the same criteria for selection.

The Equal Pay Act 1994 explicitly prohibits discrimination between male and female employees. However, according to the St. Vincent and the Grenadines Country Poverty Assessment ("SVG CPA"), in practice there is gender segmentation in the labour market with men working in higher paying occupations such as construction and women working in lower level, lower paying positions in the hospitality industry. Legally, women have free choice of profession and employment as well as the right to promotion, job security and benefits and equal wages. One exception is the **Employment of Women, Young Persons and Children Act, (2009) Cap 209**, which prohibits a woman over the age of eighteen from being employed at night in any "industrial undertaking."

Violence against women

SVG supported the majority of recommendations to address domestic violence and gender-based violence and the country continues to take implementing measures to that end.

Intimate partner violence, sexual violence and child sexual abuse are among the most prevalent forms of gender-based violence in SVG, disproportionately affecting women and children. Cultural norms and values which sanction violence within relationships and which support unequal gender power relations have a devastating effect on women's rights. The crimes of rape and incest are defined in an extremely narrow manner in the Criminal Code.

In 2015, Parliament passed a new **Domestic Violence Act ("DV Act")**, which introduced a comprehensive definition of domestic violence and made reporting of domestic violence obligatory. There are essential services available to women and children who are victims of domestic violence including counselling, referral and information services. Victims are educated on the role of the police, legal matters, and the family court in dealing with domestic violence. There is a fully operational shelter in SVG, Marion House, which provides a place for women and their children seeking to escape violence in the home. However, critics of the new DV Act point out that it places a financial burden on victims and it does not specify the role of the Crisis Centre, which is

intended to be a shelter for battered women. Some civil society activists report that, thus far, the new legislation has had little impact on domestic violence instances.

In 2015 SVG also adopted the **National Action Plan on Gender-Based Violence (“GBV Action Plan”)**. The GBV Action Plan is a multi-sectoral, time bound framework to be adopted by various stakeholders of the GOVSVG and civil society. The GBV Action Plan aims 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.

Women and girls’ access to justice is significantly hampered by a general lack of resources, a lack of understanding of the justice system, and a lack of trust in the police and court system. For example, in a UN Women Baseline Study for SVG, several interviewees expressed the view that sexual offenses were grossly under reported, particularly where the victims were girls. While family dynamics is a major factor in the underreporting of child abuse cases, there was also a reluctance of parents to subject their child to the court system. Likewise, underreporting by female, adult victims was also attributed to a lack of trust in the police and the judicial system. However, it should be noted that under the **Child (Care and Adoption) Act** includes provisions for the mandatory reporting of child abuse.

The Royal St. Vincent and the Grenadines Police Force is a key player in the fight to end GBV. After years of lobbying and requests from the Gender Affairs Division, a specialized unit to investigate sexual crimes was established by the Commissioner of Police. In addition, female Police Officers are attached to all police divisions throughout the Island. According to the Assistant Commissioner of Police, it is now procedure for officers to use a special form when handling a domestic violence situation, which then forwarded to the C.I.D. This process is intended to improve data collection on gender-based violence. While there is very limited information available on this specialised unit, the C.I.D is making efforts to tackle the crime problems in St. Vincent and the Grenadines.

In addition to domestic violence, available evidence suggests that there is also a high incidence of sexual violence against women and children. According to a joint United Nations (UN) and World Bank (WB) report, St. Vincent has the third highest reported rape rate in the world. There is also strong evidence of sexual violence against children. 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.

For many Vincentian women sexual harassment is almost daily occurrence. The law does not specifically prohibit sexual harassment although the SVG maintains that the crime could be prosecuted under existing laws. Local human rights groups indicate that these laws are ineffective.

Children: definition, general principles, protection

Children: protection from exploitation

SVG supported recommendations to strengthen the Child Protection Unit and to enact a strategy on the rights of the child and the country is working to implement those recommendations. The SVG government has in place a **National Child Protection Policy Framework (2015–2020)**, which is the first of its kind in the Caribbean. The legislative framework for child protection is grounded in international and regional conventions and universal systems of rules that govern and regulate decision-making, agreements and laws concerning children. These include conventions on the rights of the child and of women, on political, economic, social and cultural rights, on trafficking and on people with disabilities. In 2016, SVG launched the **National Child Protection Policy**. SVG is committed to investing more in services and resources required to fight child abuse. Many of the actions that are needed to improve the institutional response to the sexual, physical and emotional abuse of children in SVG are included in existing sectoral plans and pending legislation. Additional actions for enforcement, advocacy, mapping, reporting and monitoring would strengthen the existing framework.

Child poverty continues to be one of the main underlying factors affecting the rights of children in SVG. The child poverty rate in SVG is above the Eastern Caribbean average. As with other ECA countries, child poverty increases with the number of children in the household. The situation was particularly acute in SVG because the child poverty rate is approximately 60% in households with four or more children, and these households accounted for over half of all poor children. Also noteworthy: (i) the high proportion of poor children (63%) who lived in female-headed households; and (ii) the very low incidence of poverty in the Grenadines.¹³

Children: family environment and alternative care

SVG did not support recommendations to prohibit corporal punishment and the country did not take measures to do so.

Juvenile Justice

In 2019 SVG passed the **Child Justice Act** which raises the age of criminal responsibility from 8 years to 12 years old. The new law presumes that no child under the age of 12 can be guilty of an offence. Under the law, neither corporal punishment nor a sentence of life imprisonment can be imposed on a child. The Child Justice Act provides for the establishment of **the Child Justice Committee (CJC)**, which will be responsible for exercising the powers and discharging the duties conferred on it under the legislation. The law also speaks to the establishment of assessment centres and a residential facility. The law also provides for diversion options for children, the removal from the formal court procedures, alleged to have committed an offence and the adoption of informal procedures in relation to such children. The law includes other sentencing options, such as community-based sentences and restorative justice sentences – which promote reconciliation, restitution, and responsibility through the involvement of a child, the parent of the child, the members of the child’s family and the victim and the community.

¹³ OECS Commission and UNICEF. 2017. Child Poverty in the Eastern Caribbean Area, Final Report. Castries, Saint Lucia: OECS Commission and UNICEF.

Persons with disabilities¹⁴

SVG supported recommendations to develop measures to strengthen inclusion of persons with disabilities and education for children with disabilities. While SVG has taken some measures to improve the situation of PWD, significantly more work needs to be done.

An official number of persons living with disabilities in SVG is not yet available, but discussions with civil society suggest that the overall number of children with disabilities could be considerable. Three centres for children with intellectual or mental disabilities exist in SVG (one in Bequia) serving 113 children (2012), and all three receive government funding. There is no fee for children attending these schools. However, the location of the schools does not coincide with the areas in which this population resides. Moreover, enrolment in the schools represents less than 1 per cent of pre-primary and primary-school age children in SVG whereas general estimates for children with disabilities in any given population is 7 to 10 per cent.

In terms of physical access, all three schools are located in two-storey buildings and only one has wheelchair access to the second floor. Wheelchair access is also a problem at mainstream schools. Washrooms and handrails would greatly facilitate access to all schools for children with exceptionalities. Child Friendly Schools (CFS) include a focus on training that aims to combat attitudes towards children with exceptionalities including disabilities, and the CFS approach was recently introduced at one of the schools for children with special needs. However, two serious problems that remain regarding the education of children with disabilities are the stigma facing those children who are mainstreamed in the public school system and the extension of educational opportunities to children in rural areas who remain in their homes.

¹⁴ <https://www.unicef.org/easterncaribbean/media/926/file/Situation-Analysis-of-Children-in-Saint-Vincent-and-the-Grenadines-2017.pdf>