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Compilation on Saint Vincent and the Grenadines

Report of the Office of the United Nations High Commissioner for Human Rights

I. Background

1. The present report was prepared pursuant to Human Rights Council resolutions 5/1 and 16/21, taking into consideration the periodicity of the universal periodic review. It is a compilation of information contained in reports of treaty bodies and special procedures and other relevant United Nations documents, presented in a summarized manner owing to word-limit constraints.

II. Scope of international obligations and cooperation with international human rights mechanisms and bodies^{1, 2}

2. The United Nations subregional team in Barbados and the Eastern Caribbean stated that Saint Vincent and the Grenadines had ratified the majority of the core international human rights treaties, but noted that since the second cycle of the universal periodic review it had not ratified additional international human rights instruments.³

3. In 2017, the Committee on the Rights of the Child recommended that San Vincent and the Grenadines ratify the Optional Protocol to the Convention on the Rights of the Child on a communications procedure.⁴ In 2019, the Human Rights Committee recommended that San Vincent and the Grenadines consider ratifying or acceding to the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, and the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.⁵

4. In 2020, the Committee on the Elimination of Discrimination against Women asked Saint Vincent and the Grenadines to provide a timeline for its accession to the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women.⁶

5. In 2018, the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families recommended that Saint Vincent and the Grenadines consider ratifying or acceding to the International Convention for the Protection of All Persons from Enforced Disappearance, the International Labour Organization (ILO) Migration for Employment Convention (Revised), 1949 (No. 97), the Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143) and the Domestic Workers Convention, 2011 (No. 189).⁷



6. The Committee on the Rights of the Child recommended that Saint Vincent and the Grenadines consider ratifying the 1993 Hague Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption, the Hague Convention of 2007 on the International Recovery of Child Support and Other Forms of Family Maintenance, the Hague Protocol of 2007 on the Convention on the Law Applicable to Maintenance Obligations, and the Hague Convention of 1996 on Jurisdiction, Applicable Law, Recognition, Enforcement and Cooperation in Respect of Parental Responsibility and Measures for the Protection of Children.⁸

7. Two Committees reviewed the situation in Saint Vincent and the Grenadines in the absence of a report and regretted that the country had failed to honour its reporting obligations despite numerous requests to do so.⁹ The ILO Committee of Experts on the Application of Conventions and Recommendations expressed similar concerns about the reporting obligations of Saint Vincent and the Grenadines to ILO.¹⁰

8. The United Nations Educational, Scientific and Cultural Organization (UNESCO) stated that Saint Vincent and the Grenadines should be encouraged to regularly submit comprehensive national reports for the periodic consultations on the UNESCO education-related standard-setting instruments, and notably on the Convention against Discrimination in Education.¹¹

9. The United Nations subregional team reported that Saint Vincent and the Grenadines had taken steps to complete reports to three treaty bodies, including by requesting support from the Office of the United Nations High Commissioner for Human Rights (OHCHR), and recommended that it continue to seek technical assistance for the preparation of treaty body reports.¹² The subregional team also recommended that Saint Vincent and the Grenadines extend a standing invitation to all thematic special procedures.¹³

10. Saint Vincent and the Grenadines is covered by the OHCHR Regional Office for Central America, through a national human rights adviser who is based in the region and supports the United Nations subregional team. OHCHR worked with Saint Vincent and the Grenadines on the development of an action plan to implement human rights recommendations and supported relevant actors to enhance their engagement with international human rights mechanisms.¹⁴

III. National human rights framework¹⁵

11. The United Nations subregional team commended Saint Vincent and the Grenadines on its efforts to implement supported recommendations from the second cycle of the universal periodic review and recommended that it bring its domestic legislative framework in line with the international human rights instruments it had ratified.¹⁶

12. The United Nations subregional team noted that, although Saint Vincent and the Grenadines had supported recommendations to establish a national human rights institution in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles), it still had not taken any measures toward doing so.¹⁷ Two Committees recommended that Saint Vincent and the Grenadines establish an independent national human rights institution with a broad human rights protection mandate and adequate human and financial resources.¹⁸

13. The United Nations subregional team noted that Saint Vincent and the Grenadines had established an interministerial mechanism tasked with preparing the country's national human rights reports and monitoring the implementation of recommendations from human rights mechanisms.¹⁹ It recommended that the country continue to seek OHCHR technical assistance to establish a National Recommendations Tracking Database and develop a national action plan on human rights.²⁰

IV. Implementation of international human rights obligations, taking into account applicable international humanitarian law

A. Cross-cutting issues

1. Equality and non-discrimination²¹

14. The Human Rights Committee recommended that San Vincent and the Grenadines review its Constitution to ensure that it explicitly prohibited discrimination on all grounds in a non-exhaustive list, and that it ensure the equal rights of men and women.²² The same Committee was concerned at the absence of comprehensive anti-discrimination legislation and recommended that Saint Vincent and the Grenadines ensure that its anti-discrimination legislation provided for full and effective protection against discrimination in all spheres and prohibited direct, indirect and multiple discrimination.²³

15. The United Nations subregional team noted that societal attitudes towards women and cultural gender norms resulted in various forms of discrimination against women, including gender-based violence, sexual harassment, employment discrimination, income inequality and lack of political representation.²⁴

16. The United Nations subregional team noted reports that lesbian, gay, bisexual and transgender persons faced stigma and discrimination, including challenges in accessing basic health-care and social services and greater difficulties in finding jobs.²⁵ Two Committees and the subregional team were concerned about the criminalization of consensual same-sex relationships under the Criminal Code of 1990 and recommended that they be decriminalized.²⁶ The Committee on the Rights of the Child was also concerned about the perception that lesbian, gay and bisexual children had a psychosocial disorder.²⁷

17. The Committee on the Rights of the Child was concerned about reports of discrimination against children with disabilities, including children with intellectual and psychosocial disabilities.²⁸

2. Development, the environment, and business and human rights²⁹

18. On 20 April 2021, the United Nations launched a \$29.2 million global funding appeal to aid Saint Vincent and the Grenadines, which had been affected by major eruptions spewing from the La Soufrière volcano. It noted that close to 20,000 people were expected to be displaced by the eruption, and the funding would provide a lifeline to the most vulnerable people, as the country had been hit by severe ash fall.³⁰

19. The United Nations subregional team reported that Saint Vincent and the Grenadines had partnered with the United Nations Development Programme to implement a climate change public education programme and, in 2019, had submitted its national adaptation plan to the United Nations Framework Convention on Climate Change.³¹

20. Drawing attention to target 1.5 of the Sustainable Development Goals, the Committee on the Rights of the Child recommended that Saint Vincent and the Grenadines identify the types of risks that children would face in the event of natural disasters; ensure that the special vulnerabilities and needs of children, as well as their views, were taken into account in developing policies or programmes on climate change and disaster risk management; and seek international cooperation in these areas.³²

B. Civil and political rights

1. Right to life, liberty and security of person³³

21. The Human Rights Committee welcomed the fact that Saint Vincent and the Grenadines had established a de facto moratorium on the death penalty, but was concerned that the death penalty remained in the Criminal Code.³⁴ It recommended that Saint Vincent and the Grenadines establish an official moratorium on the death penalty with a view to

abolishing it and carry out appropriate awareness-raising measures to mobilize public opinion in support of the abolition of the death penalty.³⁵ The United Nations subregional team indicated that since the previous review, there had not been any national discussion regarding the abolition of the death penalty and that public support for it remained strong due to the popular perception of the death penalty as a deterrent to violent crime.³⁶

22. The United Nations subregional team stated that Saint Vincent and the Grenadines had not adopted significant measures to combat police abuse. It noted that there was no independent body to investigate complaints against law enforcement officials and no record of law enforcement officials having been prosecuted for misconduct despite several allegations in that regard.³⁷ The Committee on the Rights of the Child was concerned about complaints by children of being subjected to police brutality.³⁸

23. The Human Rights Committee recommended that Saint Vincent and the Grenadines review the Criminal Code with a view to including torture as a criminal offence, establish an independent body to investigate complaints of abuse and ill-treatment perpetrated by law enforcement officials, and ensure that all allegations of torture and ill-treatment were investigated promptly, impartially and thoroughly and that the perpetrators were brought to justice.³⁹

24. While noting the building of a new prison facility, the Human Rights Committee remained concerned about the inadequate conditions in the old prison in Kingstown, including the failure to separate violent prisoners, and reports of gang activities, drug smuggling and insufficient health standards. It recommended that Saint Vincent and the Grenadines improve conditions in its prison facilities, in line with the International Covenant on Civil and Political Rights and the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules).⁴⁰ The United Nations subregional team noted reports that prison facilities were not equipped for persons with disabilities and suffered from staff shortages.⁴¹

25. The Committee on the Rights of the Child was concerned that drug and substance abuse and related violence remained a problem in society. It was further concerned that there was insufficient support for children who abused substances, and that children who used illicit drugs and substances were subject to excessively punitive and repressive measures. It recommended that Saint Vincent and the Grenadines consider alternatives to punitive or repressive drug control policies in relation to adolescents.⁴²

26. The Human Rights Committee remained concerned that the Debtors Act permitted imprisonment for debt in some civil cases and recommended that Saint Vincent and the Grenadines revise it and provide alternatives to imprisonment for default in civil matters.⁴³

2. Administration of justice, including impunity, and the rule of law⁴⁴

27. The United Nations subregional team stated that Saint Vincent and the Grenadines had taken some measures to reduce the backlog of cases, improve access to justice and sensitize judicial personnel about issues affecting vulnerable persons. However, it noted that the backlog of cases remained problematic, resulting in a significant number of persons being held in pretrial detention.⁴⁵

28. The United Nations subregional team stated that women's and girls' access to justice was 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 the court system.⁴⁶ The Committee on the Rights of the Child was concerned that there were no procedures in place to ensure respect for the views of the child in administrative and judicial proceedings.⁴⁷

29. The Committee on Migrant Workers recommended that Saint Vincent and the Grenadines take measures to inform migrant workers and members of their families, including those in an irregular situation, about the judicial and other remedies available to them in cases where their rights had been violated, and that they had the same opportunities as nationals of Saint Vincent and the Grenadines to file complaints and obtain effective redress in the courts.⁴⁸

3. Fundamental freedoms and the right to participate in public and political life

30. The Human Rights Committee regretted that Saint Vincent and the Grenadines had not yet implemented some of the recommendations made by the 2015 electoral observation mission of the Organization of American States on improving the election process. It recommended that Saint Vincent and the Grenadines expedite its legal proceedings concerning election petitions and consider adopting legislation to regulate campaign finance and implementing the recommendations on improving its election process.⁴⁹

31. The Committee on Migrant Workers was concerned that, under the Representation of the People Act, Vincentians were not permitted to vote if they had been absent from the country for a period exceeding five years.⁵⁰

32. UNESCO recorded no killing of journalists in Saint Vincent and the Grenadines since systematic reporting began in 2008.⁵¹

33. UNESCO noted that defamation constituted a crime in Saint Vincent and the Grenadines and that in 2016 the country had adopted the Cybercrimes Act, which extended the scope of defamation to include online publications and which carried punishments of high fines and imprisonment. UNESCO recommended that Saint Vincent and the Grenadines decriminalize defamation, including through online publications, and place it within a civil code that was in accordance with international standards.⁵²

4. Prohibition of all forms of slavery⁵³

34. Three Committees noted with appreciation the efforts taken by Saint Vincent and the Grenadines to combat trafficking in persons.⁵⁴ However, the Committee on the Rights of the Child was concerned that the implementation of the Prevention of Trafficking in Persons Act, of 2011, and of the corresponding national plan, had been weak, resulting in very few victims of trafficking being identified and very few perpetrators being investigated, prosecuted and convicted. It recommended that Saint Vincent and the Grenadines strengthen the effective implementation of the act.⁵⁵

35. The Committee on Migrant Workers recommended that Saint Vincent and the Grenadines rigorously investigate and prosecute traffickers and ensure that victims receive appropriate compensation, step up campaigns aimed at preventing trafficking in migrant workers and protecting them from forced labour and sexual exploitation, improve the training of law enforcement officials, and provide adequate assistance, protection and rehabilitation services to all victims of trafficking.⁵⁶ The Human Rights Committee and the Committee on the Rights of the Child made similar recommendations.⁵⁷

5. Right to privacy and family life

36. UNESCO noted that the age of marriage was set at 15 years for girls and 16 years for boys, and recommended that Saint Vincent and the Grenadines raise the minimum age of marriage to 18 years for boys and girls.⁵⁸

C. Economic, social and cultural rights

1. Right to work and to just and favourable conditions of work⁵⁹

37. The ILO Committee of Experts continued to urge the Government to put in place an effective legislative framework to protect workers against discrimination. In this respect, it strongly encouraged the Government to take into consideration the following principles: (a) that the national legislation in the broad sense should cover, as a minimum, direct and indirect discrimination on all the grounds listed in article 1 (1) (a) of the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), with respect to all aspects of employment and occupation; and (b) that the scope of the anti-discrimination protection should cover all workers, including nationals and non-nationals.⁶⁰

38. The United Nations subregional team noted that, under the law, women had equal opportunities with regard to employment and were officially subject to the same criteria for selection. However it indicated that, in 2017, ILO had projected that approximately 65 per

cent of females aged between 15 and 64 were participating in the labour force compared to 80 per cent of males.⁶¹ It also noted that the Equal Pay Act explicitly prohibited discrimination between male and female employees, but that in practice there was 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.⁶²

39. The ILO Committee of Experts noted with regret the Government's indication that there had been no progress regarding the amending of section 3 (1) of the Equal Pay Act of 1994, which provided for "equal pay for equal work", and that the Act was therefore not in conformity with the principle of equal remuneration for men and women for work of equal value, and requested the Government to amend it without further delay.⁶³

40. The Committee on Migrant Workers recommended that Saint Vincent and the Grenadines increase labour inspections, prosecute persons or groups exploiting migrant workers or subjecting them to forced labour and abuse, especially in the informal economy, and punish perpetrators with appropriate sanctions.⁶⁴ The ILO Committee of Experts requested the Government to ensure that adequate human resources were allocated to the labour inspectorate.⁶⁵

2. Right to an adequate standard of living⁶⁶

41. The Committee on the Rights of the Child commended Saint Vincent and the Grenadines for having maintained its basic services at a constant level and for having reduced poverty despite the impact of the global economic crisis and a series of natural disasters.⁶⁷ The Committee on Migrant Workers welcomed the efforts of Saint Vincent and the Grenadines to achieve sustainable economic growth, including through the implementation of the National Economic and Social Development Plan 2013–2025.⁶⁸

42. The Committee on the Rights of the Child was concerned that child poverty remained a major challenge, particularly in rural areas.⁶⁹ Drawing attention to target 1.2 of the Sustainable Development Goals, it recommended that Saint Vincent and the Grenadines collect comprehensive and disaggregated data on child poverty and consider developing a national strategy or action plan on poverty reduction and development that specifically addressed the realization of the rights of all children, in particular those living in rural areas.⁷⁰

3. Right to health⁷¹

43. The Committee on the Rights of the Child noted that child undernutrition in Saint Vincent and the Grenadines was declining. However, it was concerned at the large number of children in the country facing food insecurity, at the high rate of obesity among children and at the lack of information on breastfeeding.⁷²

44. The Human Rights Committee was concerned about the high rate of teenage pregnancy and the lack of effective access to contraceptive methods for women and girls.⁷³ The United Nations subregional team noted that the Ministry of Health provided free family planning services in all health-care centres, but that, while health clinics were equipped to distribute several types of contraceptives for women, traditional attitudes reportedly sometimes hampered the promotion of contraceptives.⁷⁴

45. The Committee on the Rights of the Child recommended that Saint Vincent and the Grenadines adopt a comprehensive gender-sensitive sexual and reproductive health policy for adolescents; provide free, confidential, adolescent-responsive and non-discriminatory sexual and reproductive health services, information and education; ensure that sexual and reproductive health education was part of the mandatory school curriculum; and provide adolescents with easy access to contraceptives.⁷⁵

46. The United Nations subregional team noted that abortion was illegal in Saint Vincent and the Grenadines with few exceptions, that many clandestine abortions reportedly occurred every year and that the legislation provided that a person who committed abortion was liable to 14 years' imprisonment.⁷⁶ The Human Rights Committee recommended that Saint Vincent and the Grenadines review its legislation to ensure safe, legal and effective access to abortion where the life and health of the pregnant woman or girl was at risk and where carrying a

pregnancy to term would cause the pregnant woman or girl substantial pain or suffering, most notably where the pregnancy was the result of rape or incest or where the fetus was not viable.⁷⁷

47. The Committee on the Rights of the Child recommended that Saint Vincent and the Grenadines ensure that adolescents had access to confidential HIV testing and counselling services and to evidence-based HIV prevention and treatment programmes provided by trained personnel.⁷⁸

4. Right to education⁷⁹

48. UNESCO noted that the Constitution of Saint Vincent and the Grenadines, of 1979, did not enshrine the right to education, and stated that the country should be encouraged to constitutionally enshrine the right to quality education for all.⁸⁰ UNESCO also noted that it was stated in the Education Act adopted in 2006 stated 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”, and stressed that the right to education should not be made conditional upon available resources.⁸¹

49. The Committee on Migrant Workers and the United Nations subregional team noted that schools in Saint Vincent and the Grenadines were free for children aged from 5 to 16.⁸² The Committee on the Rights of the Child was concerned that the hidden costs of education, such as those linked to books and specialized services, were undermining access to education by children living in poverty, that girls dropped out of school or chose an alternative education owing to pregnancy, and that many children were not equipped to access gainful work or to enrol themselves for higher education owing to the low quality of education.⁸³

50. The United Nations subregional team noted that there were gender disparities in the choice of subjects of boys and girls. Males outnumbered females in science, technology, engineering and mathematics, while females outnumbered males in subjects traditionally associated with caregiving.⁸⁴

51. The Committee on the Rights of the Child and the Human Rights Committee were concerned about the lack of integration of children with disabilities into regular schools and the lack of teachers trained to work with them.⁸⁵ The United Nations subregional team noted that wheelchair access was a problem in mainstream schools.⁸⁶

52. The United Nations subregional team noted that the locations of the three centres for children with intellectual or psychosocial disabilities in Saint Vincent and the Grenadines did not coincide with the areas in which this population resided. In addition, enrolment in the schools represented less than 1 per cent of pre-primary and primary school-age children in the country, whereas general estimates for children with disabilities in any given population were from 7 to 10 per cent. All three schools were located in two-storey buildings and only one had wheelchair access to the second floor.⁸⁷

53. The Committee on Migrant Workers noted that section 27 of the Education Act prohibited discrimination in admission to an educational institution or school on the basis of, *inter alia*, place of origin. Nonetheless, the Committee was concerned about reports that children of migrant families were disproportionately affected by the hidden costs of education.⁸⁸

54. UNESCO stated that Saint Vincent and the Grenadines should be encouraged to fully implement the Convention against Discrimination in Education, to which it was a party.⁸⁹

D. Rights of specific persons or groups

1. Women⁹⁰

55. The United Nations subregional team noted that the Gender Affairs Division, along with other government agencies and ministries, needed to be strengthened in order for women to be able to influence the formulation of domestic policies and decisions.⁹¹ The Committee on the Elimination of Discrimination against Women asked Saint Vincent and the Grenadines

to provide information on steps taken to increase the representation of women in political and public life.⁹²

56. The Human Rights Committee was concerned about reports of the high prevalence of domestic violence, sexual violence and abuse. It was also concerned about the narrow definitions of rape and incest, the absence of statutory prohibitions of marital rape and sexual harassment, and the lack of a comprehensive definition of gender-based violence in the Criminal Code.⁹³ The United Nations subregional team expressed similar concerns and noted that, according to a joint United Nations and World Bank report, Saint Vincent and the Grenadines had the third-highest reported rape rate in the world.⁹⁴

57. While noting the existence of a Domestic Violence Act, the United Nations subregional team stated that the Act reportedly placed a financial burden on victims and did not specify the role of the Crisis Centre, which was intended to be a shelter for battered women.⁹⁵

2. Children⁹⁶

58. The Committee on the Rights of the Child noted that Saint Vincent and the Grenadines had made some progress in harmonizing its legislation with the Convention on the Rights of the Child, but was concerned that the process had been slow.⁹⁷ It recommended, *inter alia*, that Saint Vincent and the Grenadines expedite the inclusion of the right of the child to have his or her best interests taken as a primary consideration in all relevant legislation.⁹⁸

59. The same Committee welcomed the establishment of the National Child Rights Committee and the improvements made to the birth registration system, which allowed for timely and universal birth registration.⁹⁹ However, the Committee noted that it was not clear whether that body had a clear mandate and sufficient authority to coordinate the implementation of the Convention on the Rights of the Child across different government ministries.¹⁰⁰

60. The Committee on the Rights of the Child also noted that the National Child Rights Committee could receive complaints from children with regard to violations of their rights. Nevertheless, it was concerned that the structure of that Committee did not guarantee its independence when carrying out monitoring activities. The Committee recommended that Saint Vincent and the Grenadines establish an independent structure, in line with its general comment No. 2 (2002) and with the Paris Principles, to monitor children's rights, to receive complaints of violations of children's rights and to address them in a child-sensitive manner.¹⁰¹

61. The United Nations subregional team noted that in 2016 Saint Vincent and the Grenadines had launched the National Child Protection Policy, but that additional actions for enforcement, advocacy, mapping, reporting and monitoring would strengthen the existing framework.¹⁰²

62. The Human Rights Committee remained concerned that, under the Corporal Punishment of Juveniles Act and the Education Act, corporal punishment of children remained permissible. It recommended that Saint Vincent and the Grenadines take all necessary measures to prohibit corporal punishment, and encourage non-violent forms of discipline.¹⁰³

63. The United Nations subregional team noted that in 2019 Saint Vincent and the Grenadines had passed the Child Justice Act, which raised the age of criminal responsibility from 8 years to 12 years. The Act also provided for the establishment of the Child Justice Committee, and included other sentencing options, such as community-based sentences and restorative justice sentences, which promoted reconciliation, restitution and responsibility through the involvement of the child, the parents and the members of the family, the victim and the community.¹⁰⁴

64. The Committee on the Rights of the Child recommended that Saint Vincent and the Grenadines regularly collect disaggregated data on children in street situations and develop a national strategy for recovering and reintegrating them, providing support to their families and their communities and preventing children from living and working in the street.¹⁰⁵

65. UNESCO noted that, according to the Education Act, compulsory education ended at the age of 16 years, while the minimum age for admission to employment was 14 years, and encouraged Saint Vincent and the Grenadines to raise the minimum age for employment to 16 years in order to align it with the end of compulsory education.¹⁰⁶ The Committee on Migrant Workers was concerned about the existing legislation on child labour, which did not sufficiently protect children, in particular migrant children, from harmful work.¹⁰⁷

66. The Committee on the Rights of the Child was concerned that there was a lack of data on child labour; that some children reportedly engaged in hazardous work, including in the agricultural sector, the commercial sex industry and the illicit trade in drugs; and that there was no legal prohibition on the employment of children below 18 years of age in hazardous work, except for certain night work in industry.¹⁰⁸

67. The Human Rights Committee recommended that Saint Vincent and the Grenadines enhance its efforts to combat child sexual abuse by, inter alia, improving mechanisms for early detection and intervention; encouraging reporting of suspected and actual abuse of children; and ensuring that cases of abuse were thoroughly investigated, that perpetrators were brought to justice and that victims were provided with an effective remedy.¹⁰⁹ The Committee on the Rights of the Child was concerned at the lack of regulations and procedures to protect children from exploitation in the tourism sector. It recommended that Saint Vincent and the Grenadines ensure the legal accountability of business enterprises and their subsidiaries operating in or managed from the country, especially in the tourism sector, in relation to the sale and sexual and labour exploitation of and trafficking in children.¹¹⁰

3. Persons with disabilities¹¹¹

68. The United Nations subregional team noted that, while Saint Vincent and the Grenadines had taken some measures to improve the situation of persons with disabilities, significantly more work needed to be done.¹¹² The Committee on the Rights of the Child was concerned that limited information and data on children with disabilities was available and that the general public was not sufficiently aware of the existence of children with disabilities and of their rights. It was also concerned that children with disabilities did not have access to public transport and public buildings owing to the existence of physical barriers.¹¹³

69. The same Committee was concerned about reports of discrimination against children with disabilities, including children with intellectual and psychosocial disabilities.¹¹⁴ It recommended that Saint Vincent and the Grenadines adopt legislation to ensure the provision of the services necessary for the realization of substantive equality for and the protection of the rights of children with all types of disabilities, including the provision of reasonable accommodation so that they could lead an autonomous life in the community and access inclusive education.¹¹⁵

4. Migrants, refugees and asylum seekers

70. The Committee on Migrant Workers was concerned that the Immigration (Restriction) Act, amended in 2017, criminalized irregular entry into the country. It recommended that Saint Vincent and the Grenadines decriminalize irregular entry and ensure that the minimum guarantees enshrined in the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families were assured with regard to administrative and judicial procedures against migrant workers.¹¹⁶ The Committee on the Rights of the Child was concerned that the same Act used derogatory terminology in respect of persons with disabilities and that foreign children with disabilities might be denied entry into the country on the ground of their disabilities, including in cases of family reunification.¹¹⁷

71. The Committee on Migrant Workers was concerned that several laws relevant to migration, including the Protection of Employment Act 2003 and the Employment of Foreign Nationals and Commonwealth Citizens Act 1973, were not in line with the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, and recommended that Saint Vincent and the Grenadines ensure that its national laws were in line with the provisions of international human rights treaties.¹¹⁸ The Committee also recommended that Saint Vincent and the Grenadines develop a comprehensive, gender-responsive and human rights-based migration policy and strategy, and that the human rights

of migrant workers living in the country were integrated into all relevant national plans and strategies.¹¹⁹

72. The Committee on Migrant Workers recommended that Saint Vincent and the Grenadines conduct a comprehensive study on migrant children, including migrant children in the country and children of Vincentian migrant workers abroad who had been left behind, to inform the provision of child protection and social protection services, and that it adopt a comprehensive strategy to promote and protect the rights of children and families of Vincentian workers.¹²⁰

73. While noting that there had been very few refugees and asylum seekers in the country, the Human Rights Committee recommended that Saint Vincent and the Grenadines enact refugee and asylum legislation in accordance with the Convention relating to the Status of Refugees, of 1951, and its Protocol, and ensure that all persons applying for international protection had access to a fair and full asylum procedure.¹²¹

5. Stateless persons

74. The Human Rights Committee was concerned about the lack of legislation to provide effective protection to stateless persons in the country and recommended that Saint Vincent and the Grenadines take steps, including adopting legislation, in this regard.¹²²

Notes

- ¹ Tables containing information on the scope of international obligations and cooperation with international human rights mechanisms and bodies for Saint Vincent and the Grenadines will be available at www.ohchr.org/EN/HRBodies/UPR/Pages/VCIndex.aspx.
- ² For relevant recommendations, see A/HRC/33/5, paras. 80.1–80.28, 80.62, 80.73–80.74, 80.78 and 80.81.
- ³ United Nations subregional team submission for the universal periodic review of Saint Vincent and the Grenadines, p. 3. See also CRC/C/VCT/CO/2-3, para. 3.
- ⁴ CRC/C/VCT/CO/2-3, para. 66.
- ⁵ CCPR/C/VCT/CO/2/Add.1, paras. 23 (b) and 29.
- ⁶ CEDAW/C/VCT/QPR/9, para. 3.
- ⁷ CMW/C/VCT/CO/1, para. 13.
- ⁸ CRC/C/VCT/CO/2-3, paras. 39 (d) and 42.
- ⁹ CCPR/C/VCT/CO/2/Add.1, paras. 1 and 3; and CMW/C/VCT/CO/1, paras. 3–4.
- ¹⁰ See www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:4018972:NO; www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:4018976:NO; www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:4018302:NO; www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:4018298:NO; www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:4020167:NO; and www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:4020983:NO.
- ¹¹ UNESCO submission for the universal periodic review of Saint Vincent and the Grenadines, p. 5.
- ¹² United Nations subregional team submission, p. 3.
- ¹³ Ibid.
- ¹⁴ OHCHR, *United Nations Human Rights Report 2019*, pp. 264–265, and *United Nations Human Rights Report 2018*, p. 227. See also CMW/C/VCT/CO/1, para. 2.
- ¹⁵ For relevant recommendations, see A/HRC/33/5, paras. 80.29 and 80.46–80.57.
- ¹⁶ United Nations subregional team submission, pp. 2–3.
- ¹⁷ Ibid., p. 4.
- ¹⁸ CCPR/C/VCT/CO/2/Add.1, paras. 10–11; and CMW/C/VCT/CO/1, paras. 20–21.
- ¹⁹ United Nations subregional team submission, p. 3. See also CCPR/C/VCT/CO/2/Add.1, para. 10.
- ²⁰ United Nations subregional team submission, p. 4.
- ²¹ For relevant recommendations, see A/HRC/33/5, paras. 80.37–80.40, 80.43–80.45 and 80.72.
- ²² CCPR/C/VCT/CO/2/Add.1, para. 15. See also CMW/C/VCT/CO/1, para. 26; and CEDAW/C/VCT/QPR/9, para. 2.
- ²³ CCPR/C/VCT/CO/2/Add.1, paras. 16–17 (a).
- ²⁴ United Nations subregional team submission, p. 10. See also CEDAW/C/VCT/QPR/9, para. 7.
- ²⁵ United Nations subregional team submission, pp. 4–5. See also CCPR/C/VCT/CO/2/Add.1, para. 16.

- ²⁶ CCPR/C/VCT/CO/2/Add.1, paras. 16–17; CRC/C/VCT/CO/2-3, paras. 22–23; and United Nations subregional team submission, pp. 4–5.
- ²⁷ CRC/C/VCT/CO/2-3, para. 22.
- ²⁸ Ibid., para. 20 (a).
- ²⁹ For the relevant recommendation, see A/HRC/33/5, para. 80.128.
- ³⁰ See news.un.org/en/story/2021/04/1090182. See also www.unicef.org/lac/en/press-releases/united-nations-launches-29-million-appeal-st-vincent-and-grenadines.
- ³¹ United Nations subregional team submission, pp. 5–6.
- ³² CRC/C/VCT/CO/2-3, para. 51.
- ³³ For relevant recommendations, see A/HRC/33/5, paras. 80.9, 80.30, 80.73–80.77, 80.79–80.81 and 80.85–80.88.
- ³⁴ CCPR/C/VCT/CO/2/Add.1, para. 22. See also CRC/C/VCT/CO/2-3, para. 26.
- ³⁵ CCPR/C/VCT/CO/2/Add.1, para. 23 (a) and (c).
- ³⁶ United Nations subregional team submission, p. 6.
- ³⁷ Ibid., p. 7.
- ³⁸ CRC/C/VCT/CO/2-3, para. 30.
- ³⁹ CCPR/C/VCT/CO/2/Add.1, para. 25. See also CRC/C/VCT/CO/2-3, para. 31.
- ⁴⁰ CCPR/C/VCT/CO/2/Add.1, paras. 28–29.
- ⁴¹ United Nations subregional team submission, p. 7.
- ⁴² CRC/C/VCT/CO/2-3, paras. 47–48.
- ⁴³ CCPR/C/VCT/CO/2/Add.1, paras. 12–13.
- ⁴⁴ For relevant recommendations, see A/HRC/33/5, paras. 80.91–80.93.
- ⁴⁵ United Nations subregional team submission, p. 8.
- ⁴⁶ Ibid., p. 12.
- ⁴⁷ CRC/C/VCT/CO/2-3, para. 28 (a).
- ⁴⁸ CMW/C/VCT/CO/1, para. 29.
- ⁴⁹ CCPR/C/VCT/CO/2/Add.1, paras. 46–47.
- ⁵⁰ CMW/C/VCT/CO/1, para. 42.
- ⁵¹ UNESCO submission, p. 3.
- ⁵² Ibid., pp. 2 and 5. See also CCPR/C/VCT/CO/2/Add.1, para. 44.
- ⁵³ For relevant recommendations, see A/HRC/33/5, paras. 80.89–80.90.
- ⁵⁴ CMW/C/VCT/CO/1, para. 52; CCPR/C/VCT/CO/2/Add.1, para. 38; and CRC/C/VCT/2-3, para. 62.
- ⁵⁵ CRC/C/VCT/CO/2-3, paras. 62 (b) and 63 (a). See also CEDAW/C/VCT/QPR/9, para. 10; CMW/C/VCT/CO/1, para. 52–53 (a); and www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:4020316:NO.
- ⁵⁶ CMW/C/VCT/CO/1, para. 53 (b) (c) (d) and (e).
- ⁵⁷ CCPR/C/VCT/CO/2/Add.1, paras. 38–39; and CRC/C/VCT/CO/2-3, para. 63 (b) and (c).
- ⁵⁸ UNESCO submission, pp. 3–4. See also CCPR/C/VCT/CO/2/Add.1, paras. 36–37; CRC/C/VCT/CO/2-3, paras. 18–19; and CEDAW/C/VCT/QPR/9, para. 24.
- ⁵⁹ For the relevant recommendation, see A/HRC/33/5, para. 80.97.
- ⁶⁰ See www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO::P13100_COMMENT_ID:4018477 and also CMW/C/VCT/CO/1, paras. 26–27.
- ⁶¹ United Nations subregional team submission, p. 11. See also www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:4018477:NO.
- ⁶² United Nations subregional team submission, p. 11. See also www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:4018302:NO.
- ⁶³ See www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:4018298:NO. See also CEDAW/C/VCT/QPR/9, para. 16.
- ⁶⁴ CMW/C/VCT/CO/1, para. 31 (c). See also www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:4018972:NO.
- ⁶⁵ See www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:4018976:NO.
- ⁶⁶ For relevant recommendations, see A/HRC/33/5, paras. 80.59, 80.95–80.96 and 80.98.
- ⁶⁷ CRC/C/VCT/CO/2-3, para. 3.
- ⁶⁸ CMW/C/VCT/CO/1, para. 7. See also the United Nations subregional team submission, p. 8.
- ⁶⁹ CRC/C/VCT/CO/2-3, para. 52. See also the United Nations subregional team submission, p. 13.
- ⁷⁰ CRC/C/VCT/CO/2-3, para. 53.
- ⁷¹ For relevant recommendations, see A/HRC/33/5, paras. 80.100–80.102.
- ⁷² CRC/C/VCT/CO/2-3, para. 49.
- ⁷³ CCPR/C/VCT/CO/2/Add.1, para. 20.
- ⁷⁴ United Nations subregional team submission, pp. 8–9.

- ⁷⁵ CRC/C/VCT/CO/2-3, para. 46 (a) (b) (c) and (d). See also CEDAW/C/VCT/QPR/9, para. 17.
- ⁷⁶ United Nations subregional team submission, p. 9.
- ⁷⁷ CCPR/C/VCT/CO/2/Add.1, para. 21 (b). See also CRC/C/VCT/CO/2-3, para. 46 (g); and CEDAW/C/VCT/QPR/9, para. 18.
- ⁷⁸ CRC/C/VCT/CO/2-3, para. 46 (e).
- ⁷⁹ For relevant recommendations, see A/HRC/33/5, paras. 80.60, 80.99 and 80.127.
- ⁸⁰ UNESCO submission, pp. 2 and 4.
- ⁸¹ *Ibid.*, p. 2.
- ⁸² CMW/C/VCT/CO/1, para. 38; and the United Nations subregional team submission, p. 9.
- ⁸³ CRC/C/VCT/CO/2-3, para. 54 (a) (b) and (c). See also the United Nations subregional team submission, pp. 9–10.
- ⁸⁴ United Nations subregional team submission, p. 10. See also CEDAW/C/VCT/QPR/9, para. 15.
- ⁸⁵ CRC/C/VCT/CO/2-3, para. 43 (b); and CCPR/C/VCT/CO/2/Add.1, para. 42.
- ⁸⁶ United Nations subregional team submission, p. 14.
- ⁸⁷ *Ibid.*
- ⁸⁸ CMW/C/VCT/CO/1, para. 38.
- ⁸⁹ UNESCO submission, p. 4.
- ⁹⁰ For relevant recommendations, see A/HRC/33/5, paras. 80.31–80.35, 80.41–80.42, 80.61, 80.63–80.71 and 80.106–80.118.
- ⁹¹ United Nations subregional team submission, p. 11. See also CEDAW/C/VCT/QPR/9, para. 5.
- ⁹² CEDAW/C/VCT/QPR/9, para. 12.
- ⁹³ CCPR/C/VCT/CO/2/Add.1, para. 19. See also the United Nations subregional team submission, p. 11; and www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:4018477:NO.
- ⁹⁴ United Nations subregional team submission, p. 12.
- ⁹⁵ *Ibid.*, pp. 11–12. See also CEDAW/C/VCT/QPR/9, para. 8.
- ⁹⁶ For relevant recommendations, see A/HRC/33/5, paras. 80.36, 80.58, 80.82–80.84, 80.94 and 80.119–80.123.
- ⁹⁷ CRC/C/VCT/CO/2-3, paras. 5–6.
- ⁹⁸ *Ibid.*, para. 25 (a).
- ⁹⁹ *Ibid.*, para. 3.
- ¹⁰⁰ *Ibid.*, para. 9.
- ¹⁰¹ *Ibid.*, paras. 14–15.
- ¹⁰² United Nations subregional team submission, p. 13. See also CRC/C/VCT/CO/2-3, paras. 7–8.
- ¹⁰³ CCPR/C/VCT/CO/2/Add.1, paras. 30–31. See also CRC/C/VCT/CO/2-3, paras. 32–33; and the United Nations subregional team submission, p. 13.
- ¹⁰⁴ United Nations subregional team submission, p. 13. See also CRC/C/VCT/CO/2-3, paras. 64–65.
- ¹⁰⁵ CRC/C/VCT/CO/2-3, para. 61 (a).
- ¹⁰⁶ UNESCO submission, pp. 3–4.
- ¹⁰⁷ CMW/C/VCT/CO/1, para. 30 (b).
- ¹⁰⁸ CRC/C/VCT/CO/2-3, para. 59.
- ¹⁰⁹ CCPR/C/VCT/CO/2/Add.1, paras. 34 and 35 (a) (b) and (c). See also CRC/C/VCT/CO/2-3, paras. 34–37; and the United Nations subregional team submission, p. 12.
- ¹¹⁰ CRC/C/VCT/CO/2-3, paras. 16–17.
- ¹¹¹ For relevant recommendations, see A/HRC/33/5, paras. 80.124–80.126.
- ¹¹² United Nations subregional team submission, p. 14.
- ¹¹³ CRC/C/VCT/CO/2-3, para. 43 (a) and (c).
- ¹¹⁴ *Ibid.*, para. 20 (a).
- ¹¹⁵ *Ibid.*, para. 21 (b).
- ¹¹⁶ CMW/C/VCT/CO/1, paras. 32–33.
- ¹¹⁷ CRC/C/VCT/CO/2-3, para. 43 (d).
- ¹¹⁸ CMW/C/VCT/CO/1, paras. 10–11.
- ¹¹⁹ *Ibid.*, para. 15.
- ¹²⁰ *Ibid.*, para. 45 (a) and (b). See also CRC/C/VCT/CO/2-3, para. 39 (b).
- ¹²¹ CCPR/C/VCT/CO/2/Add.1, paras. 40–41. See also CRC/C/VCT/CO/2-3, paras. 57–58.
- ¹²² CCPR/C/VCT/CO/2/Add.1, paras. 40–41.