



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS

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Excellency,

I have been following the third cycle of the Universal Periodic Review (UPR) of Saint Vincent and the Grenadines and welcome the constructive engagement of the Government of Saint Vincent and the Grenadines during the 39<sup>th</sup> session of the UPR Working Group in November 2021.

As the final outcome report on the review of Saint Vincent and the Grenadines was recently adopted by the Human Rights Council at its 49<sup>th</sup> session, I would like to take this opportunity to follow up on a number of areas raised in the two reports that my Office had prepared for the review of Saint Vincent and the Grenadines – the Compilation of United Nations information and the Summary of Stakeholders' submissions – which I consider in need of particular attention over the next four and a half years, until the next cycle of the UPR. In identifying those areas, I have considered the statements and recommendations made by 53 delegations and the presentation made and responses provided by the delegation of Saint Vincent and the Grenadines. I have also considered the actions taken by the Government of Saint Vincent and the Grenadines to implement the 75 recommendations fully supported during the second cycle of the UPR. The aforementioned areas cover a range of issues, which appear in the annex to this letter.

I welcome the measures adopted by Saint Vincent and the Grenadines to respond to the explosive eruption of the La Soufriere volcano and I encourage the authorities to promote wide public participation in their implementation. I further welcome the commitment of Saint Vincent and the Grenadines to strengthen its national human rights protection framework by establishing a national human rights institution fully compliant with the principles relating to the status of national institutions for the promotion of human rights (Paris Principles). I note, however, the position of Saint Vincent and the Grenadines regarding recommendations related to discrimination against LGBTI+ persons, including on the criminalization of adult consensual same-sex relationships, and I encourage the country to strengthen its efforts to provide full and effective protection against all forms of discrimination. My Office remains available to provide technical assistance to support the efforts of Saint Vincent and the Grenadines to fully harmonize its legislation with international human rights law.

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H.E. Mr. Ralph EVERARD GONSALVES  
Prime Minister and Minister of Foreign Affairs and Foreign Trade  
Saint Vincent and the Grenadines



I encourage Saint Vincent and the Grenadines to develop a comprehensive national human rights action plan in order to achieve concrete results in the areas highlighted in the annex to this letter and to facilitate preparations for the fourth cycle of the UPR. My advice to all Member States is to develop and implement national action plans in close consultation and cooperation with all stakeholders, in particular all civil society organizations and, where necessary, with the support of international organizations, including my Office and other United Nations entities, under the leadership of the United Nations Resident Coordinator.

I also encourage Saint Vincent and the Grenadines to further strengthen its national mechanism for comprehensive reporting and follow-up to recommendations received from all international and regional human rights mechanisms and to treaty obligations, linking them to the Sustainable Development Goals. To this end, I strongly recommend the use of the OHCHR practical guide on this topic, which is available at:  
[http://www.ohchr.org/Documents/Publications/HR\\_PUB\\_16\\_1\\_NMRF\\_PracticalGuide.pdf](http://www.ohchr.org/Documents/Publications/HR_PUB_16_1_NMRF_PracticalGuide.pdf)

Please note that I am sharing my advice with all Member States as they go through the third cycle of the UPR with a view to assisting States with the implementation of the recommendations, following the review. One important measure that can positively contribute to follow-up action is voluntary mid-term reporting. Therefore, I strongly encourage all Member States to submit a voluntary mid-term report two years after the adoption of the UPR outcome report. In this regard, I encourage the Government of Saint Vincent and the Grenadines to consider submitting a mid-term report on follow-up to the third cycle of the review by 2024.

As stated by the Secretary-General in his 2017 report on the work of the Organization (A/72/1, paragraph 98): *"The Human Rights Council's universal periodic review process is now entering a new cycle, with every Member State scheduled for a third round of scrutiny. We will work to strengthen the relevance, precision and impact of the Council's recommendations, including by providing better support to Member States in implementation, stronger collaboration with United Nations country teams and the establishment of national mechanisms for human rights reporting and follow-up to link the universal periodic review to the implementation of the Sustainable Development Goals."*

I look forward to discussing with you ways in which my Office may assist Saint Vincent and the Grenadines in relation to the areas identified in this letter and its annex.

Please accept, Excellency, the assurances of my highest consideration.

Michelle Bachelet  
High Commissioner for Human Rights

cc: Senator the Honourable  
Ms. Keisal M. PETERS  
Minister of State with responsibility for Foreign Affairs and Foreign Trade  
Saint Vincent and the Grenadines

Mr. Didier TREBUCQ  
United Nations Resident Coordinator  
United Nations Barbados and the Eastern Caribbean Multi-Country Office (MCO)  
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Mr. Alberto BRUNORI

Regional Representative for Central America and the Caribbean sub-region of the United Nations High Commissioner for Human Rights  
OHCHR Regional Office for Central America and the Caribbean  
Republic of Panama

Ms. Michelle BRATHWAITE

Regional Coordinator for the English-speaking Caribbean and Suriname  
OHCHR Regional Office for Central America and the Caribbean  
Republic of Panama

## Annex

### **Scope of international obligations and cooperation with international human rights mechanisms and bodies**

- Ratifying the human rights instruments to which Saint Vincent and the Grenadines is not yet a party, including the International Convention for the Protection of All Persons from Enforced Disappearance, the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, the Optional Protocol to the Convention on the Rights of the Child on a communications procedure, the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women.
- Extending a standing invitation to all special procedures mandate holders of the Human Rights Council.

### **National human rights framework**

- Further strengthening the national normative framework, by bringing all national legislation fully in line with its international human rights obligations, in accordance with the recommendations formulated by international human rights mechanisms.
- Establishing a national human rights institution in compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles), and with adequate human, technical and financial resources.

### **Implementation of international human rights obligations, taking into account applicable international humanitarian law**

#### **A. Cross-cutting issues**

##### *Equality and non-discrimination*

- Strengthening relevant laws and policies to provide for full and effective protection against all forms of discrimination and prohibit direct, indirect and multiple discrimination.
- Taking further measures to address discrimination against LGBTI+ persons, including by decriminalizing consensual same-sex relationships.

##### *Development, the environment, and business and human rights*

- Continuing efforts to develop and implement policies and programmes on climate change and disaster risk reduction and to promote public participation in the process.

#### **B. Civil and political rights**

##### *Right to life, liberty and security of person*

- Establishing an official moratorium on the death penalty with a view to abolishing it and carrying out appropriate awareness-raising measures to mobilize public opinion in support of the abolition of the death penalty.

- Taking further measures to bring conditions of detention facilities fully 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).
- Continuing the reform of the law enforcement system and ensuring impartial and effective investigation into all allegations of police abuse.

#### *Prohibition of all forms of slavery*

- Strengthening the implementation of the Prevention of Trafficking in Persons Act of 2011 and of the corresponding national plan; effectively investigating and prosecuting cases of human trafficking; and ensuring that victims receive adequate assistance, protection, and rehabilitation services.

#### *Right to privacy and family life*

- Raising the minimum age of marriage to 18 years for boys and girls.

### **C. Economic, social and cultural rights**

#### *Right to an adequate standard of living*

- Continuing making efforts to eradicate poverty, most notably child poverty, and to improve living conditions, by strengthening the national social protection framework.

#### *Right to health*

- Strengthening measures to guarantee access to sexual and reproductive health services, information and education, including by ensuring that comprehensive sexual and reproductive health education is part of the mandatory school curriculum.
- Reviewing 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.

#### *Right to education*

- Ensuring access to quality education for all, including by implementing measures to further integrate children with disabilities in the education system.

### **D. Rights of specific persons or groups**

#### *Women*

- Continuing the efforts to ensure that a comprehensive legislation is in place regarding sexual and gender-based violence, including domestic violence; strengthening support services for victims; and implementing capacity-building training for law enforcement officials.
- Promoting equal representation of women in economic, political and public life.

#### *Children*

- Enacting legislation to prohibit corporal punishment of children in all settings.

- Raising the minimum age for employment to 16 years to align it with the end of compulsory education.
- Strengthening the legal framework to protect children in relation to sexual and labour exploitation, especially in the tourism sector.
- Establishing an independent structure, in line with the general comment No. 2 (2002) of the Committee on the Rights of the Child 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.

*Persons with disabilities*

- Taking measures to enhance the inclusion of all persons with disabilities, including by increasing accessibility to public buildings and transportation, and to combat discrimination against children with disabilities.

*Migrants, refugees and asylum seekers*

- Decriminalizing irregular entry and ensuring 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.
- Enacting refugee and asylum legislation in accordance with the Convention relating to the Status of Refugees of 1951 and its Protocol; and ensuring that all persons applying for international protection had access to a fair and full asylum procedure.

*Stateless persons*

- Taking steps, including the adoption of legislation, to provide effective protection to stateless persons in the country.