

Saint Vincent and the Grenadines



LGBTIQ+ Rights

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MECHANISM

Universal Periodic Review (UPR)

SESSION

53rd Session of the Working Group of the UPR

DATE OF REVIEW

3 November 2026

Summary: Saint Vincent and the Grenadines criminalizes consensual same-sex sexual activity between adults ("CSSSA") with up to ten years imprisonment. In 2024, the High Court upheld these colonial-era laws even as four Eastern Caribbean neighbors struck down similar provisions. LGBTIQ+ individuals face widespread violence and discrimination because of their real or perceived sexual orientation, gender identity, gender expression, and/or sex characteristics (SOGIESC) by State and non-State actors. The Government, now under new leadership for the first time in almost 25 years — and with a super majority in Parliament — has the opportunity to address this problem and improve the lives of LGBTIQ+ Vincentians and Grenadians.

The criminalization of CSSSA does not dissuade violence against LGBTIQ+ individuals and harms public health.

- Section 146 of the Criminal Code punishes "buggery" with up to ten years imprisonment. Section 148 punishes "gross indecency" between persons of the same sex with up to five years imprisonment. Both are remnants of British colonial law.
- In February 2024, the High Court upheld sections 146 and 148 in *Johnson v. Attorney General* on procedural grounds despite acknowledging the laws infringed on the claimant's right to freedom of expression.
- Saint Vincent and the Grenadines is one of only five UN Member States in the Americas that criminalizes CSSA. Between 2022 and 2024, four Eastern Caribbean neighbors each struck down similar colonial-era laws.
- Enforcement of sections 146 and 148 is inconsistent and leaves LGBTIQ+ people vulnerable to police discretion and extortion. Individuals report that the criminalization of CSSSA is often cited as justification for homophobic actions taken by State and non-State actors.
- Sections 146 and 148 hinder efforts to tackle the HIV epidemic by driving people away from vital health services, including prevention, testing, treatment, and care.

LGBTIQ+ people face violence and discrimination in schools, workplaces, and public life without legal protection.

- LGBTIQ+ people regularly report experiencing physical or verbal abuse, threats, sexual violence, or harassment. When individuals seek help from police, the police often ignore or further discriminate against the person reporting the human rights violation.

- LGBTIQ+ people experience daily verbal intimidation and physical attacks in public spaces and transgender people are at a heightened risk of violence. One transgender woman reported having bottles thrown at her and noted that her life is frequently at risk from violent attacks.
- LGBTIQ+ students experience bullying in schools, prompting several to drop out after receiving no support from teachers or administrators — interrupting their right to education.
- Lesbian and bisexual women face sexual violence and harassment, particularly in the workplace.
- The State lacks legislation to protect individuals from discrimination on the basis of SOGIESC in housing, healthcare, education, or employment, and does not prohibit incitement to hatred.
- There is no legal gender recognition for transgender or non-binary individuals. Individuals are recognized only as their sex assigned at birth, regardless of their gender expression or identity.
- There are no laws prohibiting so-called “conversion therapies” or restricting medically unnecessary interventions aimed at modifying the sex characteristics of intersex minors without their free, prior, and fully informed consent.
- Same-sex couples cannot register their partnerships as civil unions or marriages.
- The prevalence of homophobic and transphobic violence and discrimination, in conjunction with the lack of legal protections for LGBTIQ+ people, has created a widespread view that life would be better outside of the country.

Recommendations

- **Repeal Sec. 148, 146(a) and (c) of the Criminal Code; adopt an interim *de jure* moratorium on enforcement.**
- **Enact legislation that explicitly protects individuals from discrimination by State and non-State actors on the basis of SOGIESC in all areas of public life.**
- Enact legislation that prohibits incitement to hatred, violence, or discrimination on the basis of SOGIESC.
- Provide professional development and training to educators on how to create a safe space for LGBTIQ+ students in both primary and secondary school.
- Establish anti-bullying and discrimination policies for secondary and primary schools that create a mechanism to report and adjudicate incidents.
- In collaboration with NGOs serving the LGBTIQ+ community, draft and enact legislation that permits legal gender recognition, including recognition of non-binary identities.
- Enact legislation that prohibits or restricts so-called “conversion therapies.”
- Enact legislation that restricts unnecessary medical intervention aimed to modify the sex characteristics of intersex minors without their free, prior, and fully informed consent.
- Enact legislation that makes civil unions and marriages available to same-sex couples.