

The Death Penalty

Submitted by: The Advocates for Human Rights and The World Coalition Against the Death Penalty

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Summary: Saint Vincent and the Grenadines retains the death penalty in its Constitution and domestic laws for both murder and treason but has not carried out executions since 1995—creating a *de facto* moratorium on the death penalty. The Government nonetheless continues to oppose the UN General Assembly resolutions calling for a global moratorium on the death penalty. In May 2026, the Eastern Caribbean Court of Appeals quashed the death sentence of the only remaining person on death row and remitted his case to the High Court for re-sentencing. Prison conditions remain poor due to overcrowding and aging infrastructure, and authorities continue to detain young people (aged 16 to 21) with adults.

Saint Vincent and the Grenadines has a *de facto* moratorium on the death penalty but the time is right to move toward abolition.

- Domestic laws authorize the death penalty for murder and treason.
- In May 2026, the Eastern Caribbean Court of Appeals quashed Patrick Lovelace’s death sentence and remitted his case to the High Court for re-sentencing. A court had sentenced him to death for murder in 2004. A review court quashed his original conviction and sentence, but a court retried him in 2009 and again sentenced him to death in 2010. In *Pratt and Morgan v. The Attorney General of Jamaica* (1993), the Judicial Committee of the Privy Council held that any delay of more than five years between sentencing and execution was *prima facie* evidence that carrying out the sentence would constitute inhumane or degrading punishment.
- Saint Vincent and the Grenadines has consistently voted against the UN General Assembly resolution calling for a global moratorium on the death penalty, including the vote in 2024.
- In its third-cycle UPR, the delegation from Saint Vincent and the Grenadines stated the authorities did not intend to remove the death penalty from the Criminal Code. In May 2022, then-Prime Minister Ralph Gonsalves asserted without evidence that the absence of executions likely induced some people to carry out violent crimes and that authorities will revisit the issue of resuming executions. Media outlets report that members of the public periodically express support for resumption of executions after high-profile murders, including as recently as 2023.
- In the general elections in November 2025, the New Democratic Party (NDP) won 14 of 15 constituencies, ousting Prime Minister Gonsalves, who had held the role since 2001. NDP leader Godwin Friday publicly expressed his opposition to the death penalty in 2023, but it is unclear whether now-Prime Minister Friday will push for reforms to the criminal legal system, including abolition of the death penalty.

Detention conditions violate international human rights standards.

- Prison authorities hold people between age 16 and 21 who are convicted of crimes with the adult prison population. Despite the delegation from Saint Vincent and the Grenadines reporting substantial progress in reforming juvenile justice and the need to take further steps to accommodate girls in conflict with the law at its third-cycle UPR, the coauthors have not identified evidence that authorities have ceased detaining children with the adult population.
- His Majesty's Prison in Kingstown does not fully comply with the Nelson Mandela Rules due to its infrastructure. Reports continue to document inadequate detention conditions, including chronic understaffing, severe overcrowding (often at 140 to 160% of design capacity), persistent contraband flows, and no dedicated space to separate minors from adults. Multiple sources describe cells as deplorable, foul-smelling, and unsafe.
- Pre-trial detention exacerbates overcrowding. People in conflict with the law (including children) continue to face prolonged pre-trial detention in part due to the absence of a legal aid system. The State provides legal representation only for people charged with capital offenses. Even though the Court of Appeal guidelines require courts to hold a preliminary hearing within nine months of arrest, many people remain in custody for more than a year before their first court appearance.
- In February 2026, Prime Minister Friday announced that His Majesty's Prison would be closed and consolidated with Belle Isle Correctional Facility to address long-standing issues of overcrowding and deteriorating infrastructure.

Recommendations

- Abolish the death penalty and replace it with penalties that are fair, proportionate, and consistent with international human rights standards.
- In the interim:
 - Impose an immediate official moratorium on executions;
 - Seek technical assistance to initiate, with the participation of civil society, a comprehensive awareness-raising campaign on the death penalty, including public and parliamentary debates highlighting relevant human rights concerns and misconceptions about deterrence; and
 - Codify the *Pratt and Morgan* decision to automatically commute the sentence of any person on death row for more than five years.
- Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights.
- Vote in favor of the 2026 and 2028 UN General Assembly resolutions calling for a global moratorium on the use of the death penalty.
- Increase the resources and personnel available to the criminal legal system so that there are sufficient judges, lawyers, and paralegals to minimize the backlog and reduce the use of pretrial detention.
- Dedicate additional resources to aligning detention conditions with the Nelson Mandela Rules, particularly regarding hygiene and safety.
- Ensure that detention conditions comply with the Nelson Mandela Rules, particularly Rule 11(d), which states that “[y]oung prisoners shall be kept separate from adults.”