

Grenada 2023 Human Rights Report

Executive Summary

There were no significant changes in the human rights situation in Grenada during the year.

Significant human rights issues included laws criminalizing consensual sexual conduct between men, but the laws were not enforced.

The government took credible steps to identify and punish officials who may have committed human rights abuses.

Section 1. Respect for the Integrity of the Person

a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings

There were no reports that the government or its agents committed arbitrary or unlawful killings, including extrajudicial killings.

b. Disappearance

There were no reports of disappearances by or on behalf of government authorities.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment, and Other Related Abuses

The law prohibited such practices, and there were no credible reports that government officials employed them.

Prison and Detention Center Conditions

Prison conditions were harsh due to gross overcrowding.

Abusive Physical Conditions: The country's sole penitentiary was designed for approximately 200 persons. As of August, it held 385 prisoners, including six women in a separate block. In the men's block, potable water was available in prison hallways but not in cells.

Administration: Authorities investigated all credible allegations of mistreatment.

Independent Monitoring: The government permitted monitoring by independent nongovernmental observers.

d. Arbitrary Arrest or Detention

The law prohibited arbitrary arrest and detention and provided for the right of any person to challenge in court the lawfulness of their arrest or detention. The government generally observed these requirements.

Arrest Procedures and Treatment of Detainees

The law permitted police to detain individuals on suspicion of criminal activity without a warrant but required police to bring formal charges within 48 hours. Authorities generally respected the law. Authorities granted detainees prompt access to a lawyer of their choice. The law provided for a judicial determination of the legality of detention within 15 days of arrest and required police to formally arraign or release a detained person within 60 days. Authorities generally followed these procedures. There was a functioning bail system, although persons charged with capital offenses were not eligible. A judge could set bail for detainees charged with treason only upon a recommendation from the governor general.

e. Denial of Fair Public Trial

The law provided for an independent judiciary, and the government generally respected judicial independence and impartiality.

Trial Procedures

The law provided for the right to a fair and public trial, and the judiciary generally enforced this right.

Defendants had the right to a trial without undue delay, although case backlogs sometimes meant periods of several months to a year before a case went to trial. The court appointed attorneys for indigent persons in

cases of murder or other capital crimes. In appeals of criminal cases, the court appointed a lawyer if the defendant was unable to afford counsel. According to the nongovernmental organization (NGO) Grenada Human Rights Organization, however, the government could not meet the demand for free legal aid. With the exceptions of foreign-born, drug-crime suspects or those charged with murder, the courts granted bail to most defendants awaiting trial.

Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

f. Transnational Repression

Not applicable.

g. Property Seizure and Restitution

Not applicable.

h. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence

The law prohibited such actions, and there were no reports that the government failed to respect these prohibitions.

Section 2. Respect for Civil Liberties

a. Freedom of Expression, Including for Members of the Press and Other Media

The law provided for freedom of expression, including for members of the press and other media, and the government generally respected this right. An independent media, an effective judiciary, and a functioning democratic political system combined to promote freedom of expression, including for media members.

Libel/Slander Laws: Libel, slander, and defamation were criminal offenses.

Internet Freedom

The government did not restrict or disrupt access to the internet or censor online content.

b. Freedoms of Peaceful Assembly and Association

The law provided for the freedoms of peaceful assembly and association, and the government generally respected these rights.

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at

<https://www.state.gov/religiousfreedomreport/>.

d. Freedom of Movement and the Right to Leave the Country

The law provided for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these rights.

e. Protection of Refugees

The government cooperated with the Office of the UN High Commissioner for Refugees and other humanitarian organizations in providing protection and assistance to refugees, returning refugees, or asylum seekers, as well as other persons of concern.

Access to Asylum: The law did not provide for the granting of asylum or refugee status; however, the government had established a system for providing protection to refugees.

Section 3. Freedom to Participate in the Political Process

The law provided citizens the ability to choose their government in free and fair periodic elections held by secret ballot and based on universal and equal

suffrage.

Elections and Political Participation

Abuses or Irregularities in Recent Elections: National elections were widely reported to be fair and free of abuses and irregularities.

Section 4. Corruption in Government

The law provided criminal penalties for corruption by officials, and the government generally implemented the law effectively. There were no reports of government corruption.

For additional information about corruption in the country, please see the Department of State's *Investment Climate Statement* for the country, and the Department of State's *International Narcotics Control Strategy Report*, which includes information on financial crimes.

Section 5. Governmental Posture Towards

International and Nongovernmental Monitoring and Investigation of Alleged Abuses of Human Rights

A number of domestic and international human rights groups generally operated without government restriction to monitor or investigate human rights conditions or cases and publish their findings. Government officials

often were cooperative and responsive to the views of these groups.

Government Human Rights Bodies: The Office of the Ombudsman had the authority to investigate complaints from individuals who objected to government actions they deemed unfair, abusive, illegal, discriminatory, or negligent. NGOs and other observers considered the Ombudsman's Office to be independent and effective.

Section 6. Discrimination and Societal Abuses

Women

Rape and Domestic Violence: The law criminalized rape of men and women, including spousal and domestic or intimate partner rape and other forms of domestic and sexual violence. The law did not specify criminalization of so-called corrective rape of lesbian, gay, bisexual, transgender, queer, or intersex (LGBTQI+) persons; however, it stipulated a sentence of flogging or up to 30 years' imprisonment for any nonconsensual form of sex. Authorities generally enforced the law effectively. According to women's rights monitors, violence against women and children remained a serious and pervasive problem.

Other Forms of Gender-based Violence and Harassment: The law prohibited sexual harassment, but there were no criminal penalties for it. The government noted it was a persistent problem. The Gender-based

Violence Unit and Social Services within the Ministry of Social Development conducted awareness drives and assisted survivors of sexual harassment.

Discrimination: The law generally provided the same legal status and rights for women as for men. The law did not provide for civil or criminal penalties for sexual harassment in employment. The law did not explicitly prohibit discrimination based on gender for access to credit. The government enforced the law effectively.

Reproductive Rights: There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

Contraception was widely available. There were no legal or social barriers to accessing contraception, but some religious beliefs created cultural barriers to contraception use.

The government provided access to sexual and reproductive health services for survivors of sexual violence, including emergency contraceptives, through Grenada Planned Parenthood. Emergency contraceptives were also available to victims at pharmacies and clinics throughout the county, including for family planning purposes.

Systemic Racial or Ethnic Violence and Discrimination

The law provided for the prosecution of any individual who perpetrated any act of racial or ethnic violence against minorities or persons in general. The

government enforced the law effectively.

Children

Child Abuse: The law stipulated penalties ranging from five to 15 years' imprisonment for those convicted of child abuse and disallowed the victim's alleged "consent" as a defense in cases of incest. The government enforced the law effectively. Government social service agencies had programs to combat child abuse. Authorities placed abused children in either a government-run home or private foster homes.

Child, Early, and Forced Marriage: The legal minimum age for marriage was 21, although persons as young as 18 could be married with parental consent in writing. The government enforced the law to a limited extent.

Sexual Exploitation of Children: The law prohibited the sale, grooming, or use of children for commercial sexual exploitation. The law also prohibited child sex trafficking and child pornography. The government enforced the law. The minimum age of consensual sex was 16.

Antisemitism

There was a small Jewish community. There were no known reports of antisemitic incidents.

Trafficking in Persons

There were no confirmed reports during the year that traffickers exploited domestic or foreign victims in the country or that traffickers exploited victims from abroad.

Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation, Gender Identity or Expression, or Sex Characteristics

Criminalization: The law criminalized consensual sexual conduct between men and provided penalties of up to 10 years' imprisonment. The government did not enforce the law. The law made no provision for sexual conduct between women and did not prohibit cross-dressing. Neutral laws such as statutory rape and immorality were not disproportionately applied to LGBTQI+ persons.

Violence and Harassment: There were no reports that police or other government agents incited, perpetrated, condoned, or tolerated violence against LGBTQI+ individuals or those reporting such abuse. A well-known LGBTQI+ activist and musician was killed in June. A suspect had been detained, and a trial date was pending. Following the killing, there was an increase in homophobic comments on social media and in public. According to the *New Today* news site, police directed considerable resources to the

case.

Discrimination: The law did not prohibit discrimination by state and nonstate actors based on sexual orientation, gender identity or expression, or sex characteristics. The law did not recognize LGBTQI+ couples or their families did not grant them rights equal to rights of other persons. NGO representatives reported that while they had received no reports of discrimination, LGBTQI+ individuals reported harassment concerning their lifestyle.

Availability of Legal Gender Recognition: There was no process by which government allowed individuals to change their gender identity marker on legal and government identification documents to bring them into alignment with the individual's gender identity.

Involuntary or Coercive Medical or Psychological Practices: According to NGOs, there were no reports of forced or involuntary so-called conversion therapy on adults or children to change a person's sexual orientation or gender identity or expression. There were no reports that medically unnecessary and irreversible "normalization" surgeries were performed on children or on nonconsenting adult intersex persons.

Restrictions of Freedom of Expression, Association, or Peaceful Assembly: There were no laws or restrictions on these freedoms regarding LGBTQI+ matters.

Persons with Disabilities

Although the law did not mandate access to public transportation, services, or buildings, building owners increasingly incorporated accessibility features during new construction and renovations. The government provided accommodations in public schools for children with disabilities; however, most parents chose to send children with disabilities to separate schools for persons with disabilities, believing those schools offered better conditions for learning.

An NGO reported the main obstacle faced by persons with disabilities was accessibility. The NGO reported access to employment also was a problem. In addition, persons with disabilities faced stigma and discrimination when seeking employment.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law provided for the right of workers to form and join independent labor unions, participate in collective bargaining, and, with some restrictions, conduct legal strikes. The law prohibited antiunion discrimination. Employees terminated for union activity could bring their cases to the Ministry of Labor or the court, which could order the

reinstatement of the employees or compensation. The law required employers to recognize a union in a particular business only if most of the workforce belonged to the union.

While workers in essential services had the right to strike, the labor minister could refer disputes involving essential services to compulsory arbitration. The government's list of essential services included airports, air traffic, seaports, pilotage, and dock services. Several of these services were not regarded as essential by the International Labor Organization.

The government respected freedom of association and the right to collective bargaining. Employers generally recognized and bargained with unions.

The government generally enforced labor laws. Penalties were commensurate with those for other laws involving denials of civil rights and were regularly applied against violators. Administrative and judicial procedures related to labor were subject to lengthy delays and appeals.

b. Prohibition of Forced or Compulsory Labor

The law prohibited all forms of forced or compulsory labor and specifically prohibited the sale or trafficking of children for exploitive labor. The law criminalized the use of force, threats, abuse of power, and other forms of coercion for trafficking. The government effectively enforced the law.

c. Prohibition of Child Labor and Minimum Age for

Employment

See the Department of Labor's *Findings on the Worst Forms of Child Labor* at <https://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings/>.

d. Discrimination (see section 6)

e. Acceptable Conditions of Work

Wage and Hour Laws: The law provided for a national minimum wage for various categories of employment, which was above the poverty income level.

The law provided for a 40-hour workweek with eight-hour days, except for clerical and shop assistants who had 44-hour workweeks, domestic workers who had a limit of 10-hour workdays, and security guards or shift workers who had a limit of 12 hours of work per day.

Occupational Safety and Health: The government set health and safety standards. Occupational safety and health (OSH) standards were appropriate for the main industries in the country. Experts identified unsafe conditions and responded to workers' complaints. Labor inspectors could make unannounced inspections. Workers could remove themselves from situations endangering health or safety without jeopardizing their employment if they reasonably believed the situation presented an imminent or serious danger to life or health. Allegations of violations of OSH

standards were common in the manufacturing and construction sectors.

Wage, Hour, and OSH Enforcement: The government effectively enforced minimum wage, overtime, and OSH laws. It was unclear if penalties for violations of minimum wage and overtime were commensurate with those for similar crimes, such as fraud or negligence. Penalties were sometimes applied against violators.

The number of labor inspectors was not sufficient to enforce compliance. Labor inspectors had the authority to make unannounced inspections and initiate sanctions. Labor officers worked with employers in sectors such as energy, agriculture, and construction to promote appropriate clothing, health checks, and pesticide safety. The government encouraged businesses to rectify OSH violations without resorting to punitive channels for compliance.

The informal sector accounted for approximately 75 percent of the labor force. The government enforced labor laws in this sector.