

Saint Vincent and the Grenadines 2023 Human Rights Report

Executive Summary

There were no significant changes in the human rights situation in Saint Vincent and the Grenadines during the year.

Significant human rights issues included credible reports of the existence of the worst forms of child labor.

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 the government or its agents committed arbitrary or unlawful killings, including extrajudicial killings, during the year.

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 government officials employed them.

Prison and Detention Center Conditions

There were no reports regarding prison or detention center conditions that raised human rights concerns.

Administration: Authorities investigated 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 the lawfulness of their arrest or detention in court. The government generally observed these requirements.

Arrest Procedures and Treatment of Detainees

The law required a judicial authority to issue arrest warrants. The bail system was generally effective. Authorities generally gave detainees

prompt access to a lawyer. For indigent detainees accused of a capital offense, the state provided a lawyer. For other crimes, the state did not provide a lawyer, and defendants without the financial means to hire a lawyer had to represent themselves.

Although lengthy delays prior to preliminary inquiries were noted, authorities and civil society reported compliance with Court of Appeal guidelines that required a preliminary hearing to be held within nine months of detention.

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.

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 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 blasphemy were criminal offenses.

In July the Eastern Caribbean Court of Appeal ruled in favor of a local journalist who was sued for defamation in 2018 after media reported a magistrate accused the journalist of defaming the defendant.

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

There was not a significant number of refugees in the country.

Access to Asylum: The law did not provide for the granting of asylum or refugee status, and the government had not established a system for protecting refugees. The government addressed each case individually.

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, but the government did not always implement the law effectively.

For additional information concerning 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

Several domestic human rights organizations generally operated without government restriction to monitor or investigate human rights conditions or cases and publish their findings. Government officials were cooperative and responsive to the views of these groups.

Section 6. Discrimination and Societal Abuses

Women

Rape and Domestic Violence: Rape of women and men, including spousal and domestic or intimate partner rape and other forms of domestic and sexual violence, as well as so-called corrective rape of lesbian, gay, bisexual, transgender, queer, or intersex (LGBTQI+) persons, was illegal. Sentences for rape began at 10 years' imprisonment. According to one nongovernmental organization (NGO), the government did not always enforce the law effectively. Authorities referred allegations of rape or physical or sexual abuse of women to police, who were generally responsive to these complaints. Government officials noted increases in both gender-based violence and the number of individuals reporting cases.

Authorities reported police recruits received training on engagement with rape and domestic violence survivors. The government undertook antiviolenence campaigns in schools, clinics, and communities as part of the 16 Days of Activism to end Gender-Based Violence campaign. The government reported two safe houses were used for emergency accommodation of gender-based violence survivors. Officials reported a survivor support program provided by the Gender Affairs Division offered survivors financial and rental support and therapeutic interventions. Counselling and other psychosocial support were provided through other agencies, including governmental entities and NGOs.

An NGO reported domestic violence was a problem and some survivors of domestic violence did not report abuse because the abusers were the main source of income in the household. They also noted survivors faced problems when reporting domestic violence to police, who in some instances discouraged reporting. The NGO alleged that at a nongovernment-run shelter, children were revictimized by security guards selling the victims for sex-work.

Other Forms of Gender-based Violence or Harassment: The law did not specifically prohibit sexual harassment, but authorities were able to prosecute such behavior under other laws.

Discrimination: Women enjoyed the same legal rights to family, nationality, and inheritance as men. Women received an equitable share of property

following separation or divorce. The law required equal pay for equal work, and authorities generally enforced it. The law prohibited some forms of discrimination based on sex. Women were restricted from working in some industries, including mining, construction, factory work, and energy.

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

Contraception was widely available, including for the purpose of family planning. There were no legal or social barriers to accessing contraception.

The government provided access to sexual and reproductive health services, including emergency contraception, for survivors of sexual violence.

Information on access to HIV prophylaxis was not available.

Systemic Racial or Ethnic Violence and Discrimination

The law prohibited racial discrimination but did not specifically mention ethnicity. The government enforced the law effectively.

Children

Child Abuse: The law provided a legal framework, including within domestic violence laws, for the protection of children. An NGO alleged the government did not enforce the law effectively. The NGO reported child abuse was a problem despite government public awareness and prevention campaigns.

Child, Early, and Forced Marriage: The legal minimum age for marriage was 18. Parental consent was required for underage marriage. The government enforced the law effectively.

Sexual Exploitation of Children: The law prohibited the sale or use of children for commercial sexual exploitation, including sex trafficking. The law did not include grooming but could prosecute it under other laws. The law prohibited the posting and circulation of child pornography on the internet. The government enforced the law effectively.

The law prohibited girls younger than age 15 and boys younger than 16 from engaging in consensual sexual relations. The law prohibited opposite-sex statutory rape, with special provisions for persons younger than 13. The government generally enforced the law effectively.

Antisemitism

There was no organized Jewish community, and there were no reports of antisemitic incidents.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

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

Criminalization: Anal sex was illegal for men and carried a maximum penalty of 10 years' imprisonment. A separate "indecent law" prohibited other forms of same-sex conduct, with a maximum penalty of five years' imprisonment. These laws were not enforced.

Violence and Harassment: In a report based on interviews with 21 LGBTQI+ individuals, Human Rights Watch found most persons interviewed had experienced physical assaults, harassment, or sexual violence.

Discrimination: The Human Rights Watch report also noted discrimination, including in the workplace, occurred for some of the 21 persons interviewed. No law prohibited discrimination against a person based on sexual orientation or gender identity, nor did it recognize LGBTQI+ couples and their families.

Availability of Legal Gender Recognition: There was no legislation providing for legal gender recognition.

Involuntary or Coercive Medical or Psychological Practices: There were no reports of involuntary or coercive medical or psychological practices specifically targeting LGBTQI+ individuals. There were no reports that

medically unnecessary and irreversible “normalization” surgeries were performed on children or nonconsenting adult intersex persons.

Restrictions of Freedom of Expression, Association or Peaceful Assembly:

There were no reports of restrictions of freedom of expression, association, or peaceful assembly regarding LGBTQI+ matters.

Persons with Disabilities

The law did not mandate access to buildings for persons with disabilities, and access to buildings generally was difficult. The law prohibited discrimination against persons with physical, sensory, mental, and intellectual disabilities, and the government generally enforced these prohibitions.

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 unions of their choice, bargain collectively, and conduct legal strikes. The law did not require employers to recognize a particular union as an exclusive bargaining agent. The law prohibited antiunion discrimination and dismissal for engaging in union activities. Although the law did not require reinstatement of workers fired for union activity, a court could order reinstatement.

The government recognized the right to freedom of association, with restrictions. The International Labor Organization (ILO) noted with concern the discretionary authority of the government regarding trade union registration and the government's unfettered authority to investigate the financial accounts of trade unions.

The government generally respected the right to collective bargaining in the private sector. Authorities formed arbitration panels, which included tripartite representation from government, businesses, and unions, on an ad hoc basis when labor disputes occurred.

Workers providing essential services – defined as the provision of electricity, water, hospital, and police services – were prohibited from striking unless they provided at least 14 days' notice to authorities. Some of these sectors were not covered under the ILO's description of essential services.

The government did not always enforce labor laws effectively. Penalties were undefined and thus were not consistently commensurate with penalties for other violations involving denials of civil rights, such as discrimination. No information was available on penalties being applied against violators.

b. Prohibition of Forced or Compulsory Labor

See the Department of State's annual *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

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 minimum wage for all sectors. Minimum wages varied by sector and type of work and were below the poverty income level. The law prescribed hours of work for specific categories, such as industrial employees (40 hours per week), professionals (44 hours per week), and agricultural workers (30 to 40 hours per week). The law provided that workers received time-and-a-half pay for hours worked in excess of the standard workweek. There was a prohibition against excessive or compulsory overtime.

Occupational Safety and Health: Occupational safety and health (OSH) standards were generally appropriate for the main industries, agriculture, fisheries, and tourism. OSH experts did not actively identify instances of unsafe conditions. Workers had the right to remove themselves from unsafe work environments without jeopardizing their employment.

Wage, Hour, and OSH Enforcement: The law provided for the safety, health, and welfare of persons at work. The Labor Department was responsible for the administration and enforcement of the law. The government did not effectively enforce OSH laws. Penalties for violations were not commensurate with those for analogous crimes, such as negligence. No information was available on penalties being applied against violators.

Major OSH issues included industrial safety, specifically exposure to harmful substances and compliance with safety protocols. Inspectors conducted unannounced inspections but were not authorized to levy sanctions. It was unclear if the number of inspectors was sufficient to enforce compliance. The Department of Labor did not have the legal authority to impose fines for violations, but it conducted follow-up inspections to assess if the shortfalls had been addressed; no employers were fined or cited for violations. Judicial officials had the authority to prosecute violations of workplace law and impose fines. Workers who received less than the minimum wage could file a claim with labor inspectors, who investigated and, if warranted, referred the matter to arbitration.

There was no information regarding the size of the informal sector. The government did not enforce labor laws in this sector.