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Grenada

Country:

Grenada

Year:

2018

Freedom Status:

Free

Political Rights:

1

Civil Liberties:

2

Aggregate Score:

88

Freedom Rating:

1.5

Overview:

Grenada is a parliamentary democracy that regularly holds credible elections. Ongoing concerns include corruption, discrimination against the LGBT (lesbian, gay, bisexual, and transgender) community, and violence against women and children.

Political Rights and Civil Liberties:

POLITICAL RIGHTS: 37 / 40 (-1)

A. ELECTORAL PROCESS: 11 / 12 (-1)

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The prime minister, usually the leader of the largest party in parliament, is head of government. They are appointed by the governor general, who represents the British monarch as head of state.

Following the 2013 elections, New National Party (NNP) leader Keith Mitchell, who had previously served as prime minister from 1995 to 2008, was sworn in as prime minister.

Cécile La Grenade was sworn in as Grenada's first female governor general in 2013.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

The bicameral Parliament consists of the directly elected, 15-seat House of Representatives, whose members serve five-year terms, and the 13-seat Senate, which is appointed by the governor general. Ten Senate seats are appointed on the advice of the prime minister, and the remaining three on the advice of the opposition leader; senators also serve five-year terms.

The NNP won early elections held in 2013, capturing all 15 seats in the House of Representatives with 59 percent of the vote. The National Democratic Congress (NDC) received 41 percent of the vote, and the newly formed National United Front (NUF) received less than 1 percent. Due to the lack of parliamentary opposition after the elections, the governor-general appointed three former NDC ministers to the Senate. Voter turnout was high, at nearly 88 percent.

The electoral observation mission of the Organization of American States (OAS) expressed concern over a lack of campaign finance regulations and other issues, but deemed the polls credible.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 3 / 4 (-1)

Electoral laws are generally fair, and are they usually implemented impartially by the supervisor of elections, who heads the Parliamentary Elections Office.

Grenada held a constitutional referendum in 2016. All of the proposals—including setting a three-term limit for the prime minister, established fixed dates for elections, and reforming the electoral authority and the body that sets constituent boundaries—failed. Turnout was low, at just 32 percent.

The unbalanced size of constituencies has resulted in unequal voting power among citizens. For example, in a country of just over 100,000 people, the largest of Grenada's 15 constituencies has around 5,000 more registered voters than the smallest. This discrepancy has not been successfully addressed, even as planned 2018 polls draw closer.

Score Change: The score declined from 4 to 3 due to a failure to address the unbalanced size of Grenada's electoral districts, which allow unequal voting power among citizens.

B. POLITICAL PLURALISM AND PARTICIPATION: 16 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

Political parties can organize freely. While a number of small political parties have competed in elections, the first-past-the-post system encourages two-party politics, and since 1999 only the NNP and NDC have won seats in parliament. Additionally, weak campaign finance laws potentially create an unfair advantage for certain parties.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

There are realistic opportunities for opposition parties to increase their support or gain power through elections, and power has rotated on several occasions since the first election in 1984, after democracy was restored to Grenada. However, the NNP has won a majority of the elections since then.

B3. Are the people's political choices free from domination by the military, foreign powers, religious hierarchies, economic oligarchies, or any other powerful group that is not democratically accountable? 4 / 4

People are generally able to express their political choices without encountering pressure from outside actors. However, the OAS has expressed concern about a lack of transparency and general regulation of campaign finance procedures, which could create avenues for undue influence over candidates and voters by business or other special interest groups.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 4 / 4

Grenada's constitution guarantees universal suffrage for adult citizens. Women remain underrepresented in politics, but saw greater representation following the 2013 elections, and women's advocacy groups have some influence in the general political sphere. The marginalization of the LGBT community impacts its ability to engage fully in political and electoral processes.

C. FUNCTIONING OF GOVERNMENT: 10 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4

The appointed prime minister, cabinet, and freely elected parliament representatives are able to determine the policies of the government. However, because of concerns over the lack of an opposition in the House of Representatives, three former NDC ministers were appointed to the Senate after the 2013 election.

C2. Are safeguards against official corruption strong and effective? 3 / 4

Corruption remains a prominent issue in Grenada, despite safeguards enshrined in the Prevention of Corruption Act and the Integrity in Public Life Act. A number of suggested amendments in a 2016 constitutional reform package would have strengthened anticorruption safeguards, but all were voted down by significant margins.

In 2017, concerns were raised over Grenada's CBI program, which allows foreigners to gain citizenship through an economic investment in the country. Multiple allegations of fraud were made against a passport agent and property developer who had himself become a citizen through the CBI program; it further emerged during the year that he had been granted citizenship despite having been convicted of domestic violence offenses in the US that should have disqualified him. In response to this and other concerns about the CBI program, the rules governing it were tightened in September.

C3. Does the government operate with openness and transparency? 3 / 4

The government of Grenada generally operates with transparency. A decree passed in 2013 under the authority of the Integrity in Public Life Act requires all public officials to declare their personal assets. In June 2017, parliament passed an amendment to the Mutual Exchange of Information on Tax Matters Bill, which allows Grenadian authorities to request financial information about its citizens residing abroad in an effort to prevent tax avoidance.

However, there is no law to ensure public access to information, even though the government pledged to introduce one Act in 2008.

CIVIL LIBERTIES: 51 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 15 / 16

D1. Are there free and independent media? 3 / 4

In 2012, Grenada became the first Caribbean country to decriminalize defamation, but seditious libel remains a criminal offense. Politicians have initiated defamation lawsuits against the media, contributing to self-censorship among journalists who may not be able to afford legal costs or resulting fines. The long-running case between Prime Minister Keith Mitchell and the *Grenada Today* newspaper led to the liquidation of the newspaper in 2009, and the editor and author of the disputed article were assigned fines in 2016.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Freedom of religion is protected under the constitution and this right is generally respected in practice.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

The government generally respects academic freedom.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

Individuals are free to express their personal views on political or other sensitive topics.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 11 / 12

E1. Is there freedom of assembly? 4 / 4

Freedom of assembly is constitutionally guaranteed, and that right is generally respected in practice.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights—and governance-related work? 4 / 4

Nongovernmental organizations (NGOs) are generally free to operate.

E3. Is there freedom for trade unions and similar professional or labor organizations? 3 / 4

The right of workers to form and join labor unions is constitutionally protected, though unions and labor activists face some obstacles. Workers have the right to strike, organize, and bargain collectively, though employers are not legally bound to recognize a union if a majority of workers do not join. Essential services workers may strike, but compulsory arbitration can be used to resolve disputes. The list of essential services is extensive, and includes services that should not be considered as such according to International Labor Organization (ILO) standards.

F. RULE OF LAW: 12 / 16

F1. Is there an independent judiciary? 3 / 4

An independent judiciary is constitutionally guaranteed, and judicial independence is generally respected in practice. Grenada is a member of the Organization of Eastern Caribbean States court system, and is a charter member of the Caribbean Court of Justice, but still relies on the Privy Council in London as its final court of appeal. In 2016, parliament approved legislation to eliminate the Privy Council as the final court, but the measure was defeated in the year's constitutional referendum.

F2. Does due process prevail in civil and criminal matters? 3 / 4

Detainees and defendants are guaranteed a range of legal rights, including the presumption of innocence and the right to trial without delay, which are mostly respected in practice. However, due to case backlogs, in practice trial delays are common. Additionally, due to staffing shortages, not all indigent defendants could be provided legal counsel.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 3 / 4

Flogging remains a punishment for petty crimes, and the prison system is overcrowded. Although considered one of the safer Caribbean islands, there has been a rise in reports of sexual assault in recent years.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

Same-sex sexual activity is a criminal offense in Grenada, and LGBT people face significant societal discrimination. The 2016 constitutional referendum included an amendment to protect the equal treatment of people in Grenada, but that amendment was overwhelmingly rejected due to concerns that language in the amendment might lead to the legalization of same-sex marriage.

The constitution prohibits gender discrimination, as do the 1999 Employment Act and Education Act. However, cultural norms perpetuate discrimination in practice, and sexual harassment is common.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 13 / 16**G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4**

Freedom of movement is constitutionally guaranteed, and this right is generally respected in practice.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or non-state actors? 3 / 4

The government of Grenada has actively encouraged both national and foreign investors to operate businesses in the country, but procedures involved in establishing a new business can be excessive.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

Violence against women and children is a widespread issue in Grenada. Domestic violence legislation came into effect in 2011, but enforcement has been limited. In September 2017, the cabinet appointed a committee to address child sexual abuse, and in November the prime minister announced that a special victims unit would be established to help victims.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

Poverty and unemployment are pervasive, and hamper the social mobility of many Grenadians.

A 2015 law punishes human trafficking with up to 25 years in jail and large fines. However, reports of human trafficking are rare.

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