

[Home](#)[Issues & Press](#)[Travel & Business](#)[Youth & Education](#)[About State Department](#)

Saint Vincent and the Grenadines

Country Reports on Human Rights Practices - [2005](#)

Released by the Bureau of Democracy, Human Rights, and Labor
March 8, 2006

St. Vincent and the Grenadines is a multiparty, parliamentary democracy with a population of approximately 117 thousand. Prime Minister Ralph Gonsalves' Unity Labor Party (ULP) was returned to office in December elections that international election observers assessed as generally free and fair. The opposition questioned the results in several constituencies and said it intends to formally challenge them in court. The civilian authorities generally maintained effective control of the security forces.

Although the government generally respected the human rights of its citizens, there were problems in a few areas:

- impunity for police who used excessive force
- poor prison conditions
- an overburdened court system
- violence against women
- abuse of children

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including

Freedom From:

a. Arbitrary or Unlawful Deprivation of Life

The government or its agents did not commit any politically motivated killings; however, the government was investigating the deaths of Selwyn Moses, who police shot and killed in February, and Joel Williams, who was shot and killed in December.

b. Disappearance

There were no reports of politically motivated disappearances.

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

Although the law prohibits such practices, a local human rights group noted that a high percentage of convictions were based on confessions. The nongovernmental organization (NGO) St. Vincent and the Grenadines Human Rights Association (SVGHRA) believed that most confessions resulted from unwarranted police practices, including the use of physical force during detention, illegal search and seizure, and failure to inform properly those arrested of their rights. The SVGHRA complained that the government failed to investigate adequately allegations of abuse or punish those police officers responsible for such abuses.

During the year citizens filed 36 complaints charging use of excessive force by members of the police force. Police officers investigated all such complaints and submitted their findings to the police commissioner. The status of these complaint cases was unavailable at the end of the year. If the decision of the police commissioner did not satisfy complainants, they may appeal to the Police Oversight Committee (see section 1.d.).

In April police reportedly beat Leon Burgin while he was in custody at the central police station. At year's end the incident was under investigation.

In July police reportedly beat Moises Flores, a Venezuelan citizen. Flores, who suffered several broken bones while in police custody, was charged with resisting arrest and wounding a police officer, to which he pled not guilty. The charges were dropped, and he left the country without pursuing a complaint against the police.

Prison and Detention Center Conditions

Prison conditions remained poor. Prison buildings were antiquated and overcrowded, with Her Majesty's Prison in Kingstown holding 355 inmates in a building designed for 75. These conditions resulted in serious health and safety problems.

A prison guard training program, initiated in 2003, instructed guards in methods used in the British prison system. Despite such reforms, problems such as endemic violence, understaffing, underpaid guards, uncontrolled weapons and drugs, an increase in HIV/AIDS, and unhygienic conditions persisted. During the year the government began an educational program that allowed prisoners to take classes in English, mathematics, computers, and job skill development.

The SVGHRA reported that prison guards routinely beat prisoners to extract information regarding escapes, violence, and crime committed in the prison.

The Fort Charlotte prison held nine female inmates in a separate section. Pretrial detainees and young offenders (16 to 21 years of age) were held with convicted prisoners. Conditions were inadequate for juvenile offenders.

The government permitted prison visits by independent human rights observers, and such visits took place during the year.

d. Arbitrary Arrest or Detention

The law prohibits arbitrary arrest and detention, and the government generally observed these prohibitions; however, complaints continued regarding police practices in bringing cases to court.

Role of the Police and Security Apparatus

The Royal St. Vincent Police, the only security force in the country, includes a coast guard, a small Special Services Unit with some paramilitary training, and the fire service. There were 730 members of the police force, all of whom were law enforcement officers who could be rotated between the various parts of the force. The police report to the minister of national security, a portfolio held by the prime minister. The government operated an oversight committee to monitor police activity and hear public complaints about police misconduct. The committee reported to the minister of national security and to the minister of legal affairs and actively participated in investigations during the year.

Arrest and Detention

The law requires arrest warrants in most instances, which are issued by judicial authority. Police apprehended persons openly, and detainees may seek judicial determinations after 48 hours if not already provided. The bail system functions and was generally effective. A local human rights group reported that most detainees were given prompt access to counsel and family members, although in some instances, access delays occurred.

Although there were only three official magistrates, the registrar of the High Court and the presiding judge of the family court effectively served as magistrates when called upon to do so. Defense attorneys claimed that 6- to 12-month delays occurred in preliminary inquiries for serious crimes.

There were no reports of political detainees.

e. Denial of Fair Public Trial

The law provides for an independent judiciary, and the government generally respected this provision in practice.

The judiciary consists of lower courts and the High Court, with appeal to the Eastern Caribbean Court of Appeal and final appeal to the Privy Council in the United Kingdom. There were three official magistrates, including the chief magistrate, a senior magistrate, and one other magistrate. In addition the registrar of the High Court has the authority to sit as a magistrate if called upon. The chief magistrate also served as president of the family court, which handled criminal cases for minors up to age 16.

Trial Procedures

The law provides for fair, public trials, and an independent judiciary generally enforced this right. The court appoints attorneys only for indigent defendants charged with a capital offense. Defendants are presumed innocent until proven guilty, may confront and question witnesses, and may appeal verdicts and penalties. A backlog of pending cases continued, because the magistrate's court in Kingstown lacked a full complement of magistrates. A local human rights group reported that magistrates were overworked and underpaid.

Political Prisoners

There were no reports of political prisoners.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The law prohibits such actions, and the government generally respected these prohibitions in practice.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The law provides for freedom of speech and of the press, and the government generally respected these rights in practice.

The independent media were active and expressed a wide variety of views without restriction. There were three major newspapers and numerous smaller publications; all were privately owned. The sole television station and six of seven radio stations were privately owned.

During the year the government prosecuted and convicted a leading radio talk show host and opposition figure, Eduardo Lynch, for making false statements likely to cause public alarm. Lynch appealed the conviction to the Eastern Caribbean Court of Appeal, which had not rendered a decision by year's end. The statements were made during a March 4 meeting of the opposition New Democratic Party (NDP), where Lynch said that the government had a vehicle containing equipment capable of jamming radio signals and monitoring phone calls. The opposition charged that the government's prosecution of Lynch was politically motivated. The Association of Caribbean Media Workers, an independent NGO, expressed its concern over the prosecution.

There were no government restrictions on the Internet or academic freedom.

b. Freedom of Peaceful Assembly and Association

The law provides for freedom of assembly and association, and the government generally respected these rights in practice.

c. Freedom of Religion

The law provides for freedom of religion, and the government generally respected this right in practice.

Members of the Rastafarian community continued to complain that law enforcement officials unfairly targeted them. However, it was not clear whether such complaints reflected discrimination by the authorities on the basis of religious belief or simply enforcement of laws against marijuana, which was used as part of Rastafarian religious practice.

Societal Abuses and Discrimination

There were no reports of societal abuses or discrimination, including anti-Semitic acts. There is no organized Jewish community.

For a more detailed discussion, see the [2005 International Religious Freedom Report](#)

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

The law provides for these rights, and the government generally respected them in practice.

The law prohibits forced exile, and it was not used.

Protection of Refugees

Although the country is a signatory of the 1951 UN Convention relating to the Status of Refugees and its 1967 protocol, the government has not established a system for providing protection to refugees or asylum seekers. In practice the government provided protection against *refoulement*, the return of persons to a country where they feared persecution, but did not grant refugee status or asylum. While the country does not receive refugees, in 2004 the government permitted victims of Hurricane Ivan from Grenada to stay in the country on a temporary basis. A Red Cross representative served as the honorary liaison with the office of the UN High Commissioner for Refugees.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

The law provides citizens with the right to change their government peacefully, and citizens exercised this right in practice through periodic, free, and fair elections held on the basis of universal suffrage.

Elections and Political Participation

The ruling ULP was returned to office in December elections that international observers declared to be generally free and fair. The opposition NDP, however, claimed there were electoral irregularities that could have affected the outcome in three constituencies. The

opposition said it intends to formally challenge the results in court. The nonpartisan SVGHRA also reported irregularities and questioned the ability of international observers to declare the election free and fair, citing the limited period of time that observer missions from both the Caribbean Community and the Organization of American States were in the country. The NGO specifically criticized the observers for failing to remain until all votes were counted. The elections produced no change in the makeup of the 15-seat parliament, with the ULP maintaining its 12 to 3 majority over the NDP.

There were two women in parliament and three women in the cabinet--the minister of education, the minister of urban development and labor, and the attorney general.

Government Corruption and Transparency

Although the country had a national anticorruption plan, corruption remained a moderate problem. There was anecdotal evidence of corruption in government contracting and various other allegations. The opposition publicly raised charges of corruption in the awarding of a large contract for road improvements to a company owned by a government minister's brother; that minister oversaw transportation and public works.

The law provides for public access to information, and the government provided such access in practice.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

There were no restrictions on international human rights groups, but none were known to have expressed interest or concern in the country during the year. A domestic human rights group, the SVGHRA, generally operated without government restriction, investigating and publishing its findings on human rights cases. Government officials generally were responsive, but the SVGHRA reported that its complaints regarding allegations of police brutality typically received perfunctory responses from the government. The SVGHRA continued to monitor government and police activities, particularly with respect to treatment of prisoners, publicizing any cases of abuse. The SVGHRA participated in training seminars.

Section 5 Discrimination, Societal Abuses, and Trafficking in Persons

The law provides for equal treatment regardless of race or gender, and the government generally enforced this provision in practice.

Women

Violence against women remained a serious problem. In January both the minister for social development and the attorney general highlighted the problem of violence against women during a ceremony to promote awareness of the Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women, which the government has ratified. The Domestic Violence/Matrimonial Proceedings Act prohibits domestic violence, and 443 cases were filed in the family court. The SVGHRA reported that, in many instances, domestic violence went unpunished due to a culture in which victims learn not to seek assistance from the police or the prosecution of offenders.

The SVGHRA conducted numerous seminars and workshops throughout the country to familiarize women with their rights. Development banks provided funding through the Caribbean Association for Family Research and Action for a program on domestic violence prevention, training, and intervention. Police received training on domestic abuse, emphasizing the need to file reports and, if there was sufficient evidence, to initiate court proceedings. To counter the social pressure on victims to drop charges, some courts imposed fines against persons who brought charges but did not testify.

Rape, including spousal rape, is illegal, and the government effectively enforced the law. Depending on the magnitude of the offense and the age of the victim, the sentence for rape generally was 10 years to life in prison. During the year the police received 78 reports of rape; 31 of these were prosecuted and 47 were still under investigation at the end of the year.

Although prostitution is illegal, the local human rights group reported that it remained a problem among young women and teenagers.

The law does not specifically prohibit sexual harassment, although it could be prosecuted under other laws. The local human rights group believed these laws were ineffective and needed amendment to address this problem. In January the minister for social development said that reports of sexual harassment in the workplace had risen.

Women enjoyed the same legal rights as men. Women received an equitable share of property following separation or divorce. The Office of Gender Affairs, under the Ministry of Education, Women's Affairs, and Culture, assisted the National Council of Women with seminars, training programs, and public relations. The minimum wage law specifies that women should receive equal pay for equal work.

The government provided limited services for female victims of abuse and relied on NGOs to fill this role. Marion House, an independent social services agency, provided counseling and therapy services, as well as parenting and support programs for young adults aged 15 to 25.

Children

The government was committed to children's rights and welfare. Primary education was compulsory, free, and universal, and the Ministry of Education estimated that 99 percent of primary school-age children attended school. In September the government made secondary education universal; prior to that the ministry estimated that approximately 83 percent of secondary school-age children attended school during the year. The government investigated cases in which children were withdrawn from school before the age of 16. As a supplement to secondary school, the government sponsored the Youth Empowerment Program, which was an apprenticeship program for young adults interested in learning a trade. Approximately 500 youths were enrolled in this program, earning a stipend of approximately \$148 (EC\$400) a month; private sector employers contributed additional amounts in some instances.

Boys and girls enjoyed equal access to health care.

Child abuse remained a problem. The law provides a limited legal framework for the protection of children, and the Family Services Department, Ministry of Social Development, monitored and protected the welfare of children. The Family Services Department referred all reports of child abuse to the police for action. During the year 63 cases of child abuse were sent to the family court.

Trafficking in Persons

The law does not address trafficking in persons specifically, but there were no reports that persons were trafficked to, from, or within the country.

Persons with Disabilities

There was no discrimination against persons with physical and mental disabilities in employment, education, access to health care, or in the provision of other state services. The law does not mandate access to buildings for persons with disabilities, and the circumstances for such persons generally were difficult. Most persons with severe disabilities rarely left their homes because of the poor road system and lack of affordable wheelchairs. The government partially supported a school for persons with disabilities, which had two branches. A separate, small rehabilitation center treated approximately five persons daily. The Ministry of Social Development is responsible for assisting persons with disabilities.

Section 6 Worker Rights

a. The Right of Association

Workers exercised the legal right to form and join unions; however, no law requires employers to recognize unions. Less than 10 percent of the work force was unionized.

The Protection of Employment Act provides for compensation and worker rights, but these were restricted to protection from summary dismissal without compensation and reinstatement or severance pay if unfairly dismissed. This act protects workers from dismissal for engaging in union activities and provides them with reinstatement rights if illegally dismissed.

b. The Right to Organize and Bargain Collectively

Although the law permits unions to organize and bargain collectively, and the government protected these rights in practice, no law requires employers to recognize a particular union as an exclusive bargaining agent. The Trade Dispute, Arbitration, and Inquiry Act provides that if both parties to a dispute consent to arbitration, the minister of labor can appoint an arbitration committee from the private sector to hear the matter. There are no export processing zones.

The law provides for the right to strike, and workers exercised this right in practice; however, the Essential Services Act prohibits persons providing such services (defined as electricity, water, hospital, and police) from striking.

c. Prohibition of Forced or Compulsory Labor

The law prohibits forced or compulsory labor, including by children, and there were no reports that such practices occurred.

d. Prohibition of Child Labor and Minimum Age for Employment

The law sets the minimum working age at 16, and workers may receive a national insurance card at that age. The Ministry of Labor monitored and enforced this provision, and employers generally respected it in practice. There were three general inspectors in the labor inspectorate with responsibility for monitoring all labor issues and complaints. The ministry reported no child labor problems. The age of leaving school at the primary level was 15 years; when these pupils left school, they usually were absorbed into the labor market as apprentices. The only recognized child labor was children working on family-owned banana plantations, particularly during harvest time, or in family-owned cottage industries. The government operated a youth employment service, which provided training and increased job opportunities by employing young people in government ministries for up to one year.

e. Acceptable Conditions of Work

The Wages Council meets every two years to review minimum wages. Last set in 2003, minimum wages varied by sector and type of work. They are specified for several skilled categories, including attendants, packers, cleaners, porters, watchmen, and clerks. In agriculture, the minimum wage for workers provided shelter was \$9.26 (EC\$25) per day; industrial workers earned \$11.11 (EC\$30) per day. In many sectors, the minimum wage did not provide a decent standard of living for a worker and family, but most workers earned more than the minimum.

The law prescribes hours of work according to category, such as industrial employees (40 hours per week), professionals (44 hours per week), and agricultural workers (30 to 40 hours per week). The law provides that workers receive time-and-a-half for hours worked over the standard workweek. There was a prohibition against excessive or compulsory overtime, which was effectively enforced in practice.

Legislation concerning occupational safety and health was outdated, and enforcement of regulations was ineffective. Trade unions addressed some violations regarding safety gear, long overtime hours, and the safety of machinery. The law does not address specifically whether workers have the right to remove themselves from work situations that endanger health or safety without jeopardy to their continued employment, but it stipulates conditions under which factories must be maintained. Failure to comply with these regulations would constitute a breach, which might cover a worker who refused to work under these conditions.

[Updates](#) | [Frequent Questions](#) | [Contact Us](#) | [Email this Page](#) | [Subject Index](#) | [Search](#)

The Office of Electronic Information, Bureau of Public Affairs, manages this site as a portal for information from the U.S. State Department. External links to other Internet sites should not be construed as an endorsement of the views or privacy policies contained therein.

[FOIA](#) | [Privacy Notice](#) | [Copyright Information](#) | [Other U.S. Government Information](#)

