



International Covenant on Civil and Political Rights

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Human Rights Committee

List of issues prior to submission of the initial report of Grenada*

A. General information on the national human rights situation, including new measures and developments relating to the implementation of the Covenant

1. Please report on any significant developments in the legal and institutional framework within which human rights are promoted and protected that have taken place since the adoption of the previous concluding observations,¹ including what steps, if any, have been taken to harmonize domestic laws with the Covenant. Please describe the steps taken to implement and disseminate the recommendations contained in the Committee's previous concluding observations, and provide information on the involvement of civil society and non-governmental organizations in this process. Please indicate whether the State party intends to accede to the Optional Protocol, thereby recognizing the competence of the Committee to receive and consider individual communications.

B. Specific information on the implementation of articles 1 to 27 of the Covenant, including with regard to the previous recommendations of the Committee

Constitutional and legal framework within which the Covenant is implemented (art. 2)

2. Please report on the progress made towards establishing an independent national human rights institution, in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles), and on consultations held with civil society to this end.

State of emergency (art. 4)

3. Please report on the steps taken towards establishing a mechanism to inform the other States parties to the Covenant, through the intermediary of the Secretary-General, of the provisions from which it has derogated in time of public emergency. Please describe the main restrictions on the exercise of the rights protected under the Covenant that have been imposed in connection with the coronavirus disease (COVID-19) pandemic, the legal basis for the restrictions, and their compatibility with the Covenant. Please explain how section 14 of the Constitution is compatible with article 4 (1) of the Covenant in guaranteeing that any measures derogating from the State party's obligations under the Covenant do not involve discrimination solely on the grounds of race, colour, sex, language, religion or social origin.

* Adopted by the Committee at its 131st session (1–26 March 2021).

¹ CCPR/C/GRD/CO/1.



Counter-terrorism measures (arts. 2, 4, 9, 14 and 17)

4. Please report on the steps taken to ensure that counter-terrorism legislation and practices are in full conformity with the Covenant. In this respect, please provide information on the measures taken to ensure that the scope of any legislation adopted in this context, including the Terrorism Act of 2003, is limited to crimes that may justifiably be assimilated to terrorism. Please also indicate whether the Terrorism Act of 2003 has been applied, and provide information on the conduct that has been criminalized and the sentences imposed.

Non-discrimination (arts. 2 and 26–27)

5. Please provide information on the measures taken in law and in practice to ensure protection from all forms of discrimination in the public and private spheres, including direct, indirect and multiple discrimination, and on all the grounds covered by the Covenant, including disability, gender, gender identity and sexual orientation, especially in the areas of health care, employment, education and housing. In this regard, please indicate whether the State party intends to adopt comprehensive anti-discrimination legislation that contains all the grounds covered by the Covenant. In the light of the rejection of the proposed constitutional reforms in 2016, please indicate whether the State party has carried out or intends to carry out any public education and awareness-raising campaigns to promote equality and non-discrimination.

6. Please provide information on the measures taken in law and in practice to protect persons harassed, threatened or prosecuted because of their sexual orientation or gender identity, and report on investigations conducted into any such incidents and their results. In this regard, please indicate whether the State party plans to decriminalize same-sex consensual relations. Please also report on any public campaigns that have been carried out to discourage discrimination against lesbian, gay, bisexual, transgender and intersex persons.

Gender equality (arts. 2–3 and 25–26)

7. Please indicate the measures taken in law and in practice to ensure equality between men and women and to end traditional discriminatory practices and stereotypical attitudes about the roles of women and men in the family and in society. Please provide information on employment rates and on the number and proportion of women in decision-making positions in both the public and the private sectors, including in rural areas. Please clarify whether the law allows men to apply for custody of their children and whether married women have the same rights as married men to apply for passports.

Violence against women and children, and domestic violence (arts. 2–3, 6–7 and 26)

8. Please describe the steps taken to prevent and combat all forms of violence against women and children, including any training that has been provided to police and other officials dealing with domestic violence and any measures taken to raise awareness among the public on gender issues. In this regard, please provide information on the results of the implementation of the Gender Equality Policy and Action Plan (2014–2024), the Medium-Term Agenda (2019–2021), the Spotlight Initiative and the Police Standing Orders (Amendment) 2017.

9. Please report on (a) the main obstacles faced by the State party in the implementation of its legislation related to gender-based violence, and (b) the status of the bill against sexual harassment. Please provide information, disaggregated by gender, age and type of offence, on the numbers of complaints, investigations, prosecutions, sentences and protection orders concerning cases of domestic violence over the past 10 years, and on the availability of shelters and other services for victims of such violence. Please indicate the measures taken to address the underreporting of cases of domestic violence, particularly in rural areas.

Voluntary termination of pregnancy and sexual and reproductive rights (arts. 6–7 and 17)

10. Please describe any education and awareness-raising programmes conducted to highlight the importance of using contraceptives and the right to sexual and reproductive health, and provide information on any restrictions or difficulties that may exist in terms of

access to sexual and reproductive health services, including on the basis of marital status, age and third-party authorization requirements. Please also report on (a) the number of women and other persons who have been sentenced on the grounds of abortion, and (b) any assessment that may have been carried out of the impact of the application of section 234 of the Criminal Code, which criminalizes abortion, on women's health.

Right to life (arts. 3 and 6–7)

11. Please describe the full range of offences that are punishable by the death penalty, and provide information for the past 10 years, disaggregated by sex, age and ethnic origin, on the number of (a) death sentences imposed, (b) death penalty cases in which a pardon or commutation was granted, and (c) persons on death row. Please provide details on any procedures for commuting death sentences to imprisonment. Please also provide information on any steps taken to abolish the death penalty and to accede to the Second Optional Protocol to the Covenant, aiming at the abolition of the death penalty.

12. Please provide information on the legal regulation of the use of force by the police, including during demonstrations, and whether the relevant laws comply with the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials and the United Nations Human Rights Guidance on Less-Lethal Weapons in Law Enforcement. Please respond to allegations of misconduct by the Royal Grenada Police Force, including excessive use of force, and the results of any investigations carried out in this respect.

Prohibition of torture and other cruel, inhuman or degrading treatment or punishment (arts. 6–7)

13. Please indicate whether torture is specifically criminalized in the State party and provide information on the penalties for this offence. Please describe the steps taken to repeal any legislation that provides for the imposition of corporal punishment for criminal offences, including flogging and whipping, for both adults and juvenile offenders.

14. Please report on the measures taken to prevent and combat the use of torture and other cruel, inhuman or degrading treatment or punishment in places of detention, and indicate whether an independent complaints mechanism has been established to receive and investigate allegations of torture and ill-treatment perpetrated by law enforcement officials. Please provide information on the numbers of complaints, investigations, prosecutions and convictions concerning such cases, and on the remedies provided for victims and their families.

Right to liberty and security of person, and treatment of persons deprived of their liberty (arts. 6–10 and 14)

15. Please provide information on the number of prisons, the prison capacity and the number of inmates, disaggregated by facility, age, sex and nationality, and indicate whether prisons and other places of detention include separate sections for minors and for women. Please provide information on the measures taken to address the high number of persons in pretrial detention, to ensure that convicted prisoners are held separately from persons in pretrial detention and to guarantee that adults are held separately from minors. Please provide information about the measures taken to protect persons deprived of their liberty from the COVID-19 pandemic.

16. Please describe the measures taken to improve conditions of detention and reduce the serious overcrowding at Richmond Hill Prison, and report on the use of alternative measures to imprisonment. Please report on the measures taken to review the State party's prisons regulations and prohibit the reduction of diet as punishment. Please indicate whether prisons and detention centres are subject to regular independent monitoring and provide information on the current mechanisms for monitoring such places.

Trafficking in persons (arts. 7–8 and 14)

17. Please describe any legislative and other measures taken to prevent and eradicate trafficking in persons and to protect victims from trafficking, and indicate whether the crime of trafficking in persons has been incorporated into the Criminal Code. Please provide

information on the number of identified victims, including persons that may be in need of international refugee protection, the guidelines for their referral and the specialized services available to them, and on the number of investigations carried out into cases of human trafficking, the sentences imposed and the reparations awarded to victims.

Rights of migrants, refugees and asylum seekers (arts. 2 and 26)

18. Given the absence of national asylum and refugee legislation and procedures in the State party, please describe the mechanisms and criteria applied before extraditing, expelling or deporting aliens from the State party to evaluate and verify their risk of being subjected to torture or other ill-treatment or other serious human rights violations upon return and to ensure strict compliance with the principle of non-refoulement. Please indicate the steps taken to prevent statelessness, including any amendments made to the Citizenship Act and the Registration of Births and Deaths Act in order to bring them into full compliance with international standards.

Access to justice, independence of the judiciary and fair trial (arts. 2 and 14)

19. Please report on the steps taken to address the case backlog, which results in delays of several months to a year before many cases go to trial. Please describe the steps taken to ensure that legal aid is accessible for those charged with a serious criminal offence, and provide statistical information on the legal aid provided by the State party. Please indicate whether the State party has carried out or intends to carry out any public education initiatives on its accession to the appellate jurisdiction of the Caribbean Court of Justice.

20. Please indicate whether the convictions and sentences handed down to the “Grenada 17” have been subjected to a judicial review and, if so, provide information on the results. Please provide information on the sentences imposed, and by which court, on Ronnie Gittens and Rudolph Hall, who still remain in prison after their death sentences were commuted in 1991 and the Privy Council ordered their resentencing.

Freedom of expression, association and peaceful assembly (arts. 19 and 21–22)

21. Please indicate whether any steps have been taken to decriminalize defamation and blasphemy and to ensure that libel is handled in civil courts rather than criminal courts. Please report on any measures taken to increase media pluralism and the diversity of views and information accessible to the public.

Rights of the child (arts. 18, 23–24 and 26)

22. Please describe the measures taken to repeal any legislation that provides for the imposition of corporal punishment on children, in any setting, including in the home, some alternative care settings, day care, schools and penal institutions, and any steps taken to raise awareness among professionals and parents about the harmful impact that corporal punishment has on children and to promote non-violent forms of discipline. Please clarify whether the State party imposes a mandatory prayer hour in schools, and, if so, please explain how this requirement is compatible with article 18 of the Covenant.

23. Please report on the measures taken to raise the minimum age of criminal responsibility in accordance with international standards, and provide information on the number of children in conflict with the law since 2014. Please also report on the compatibility of the Juvenile Justice Act, which entered into effect in 2016, with the Covenant and other United Nations standards. Please indicate whether any legal provisions guarantee that children may be deprived of liberty only as a measure of last resort and for the shortest possible period of time.

Participation in public affairs (art. 25)

24. Please report on any measures taken to foster political pluralism in the absence of a parliamentary opposition, and to ensure the inclusion and participation of members of the political opposition in decision-making on matters of national interest.