



**International covenant
on civil and
political rights**

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**LIST OF ISSUES PREPARED IN THE ABSENCE OF THE INITIAL REPORT
OF GRENADA, DUE ON 5 DECEMBER 1992**

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

1. What is the status of the Covenant under domestic law? Can provisions of the Covenant be directly invoked before domestic courts? If so, please provide detailed examples of cases in which this was done and with what results.
2. Please provide information on the availability of remedies for individuals claiming a violation of their rights as contained in the Constitution and the Covenant. Are there any examples of implementation of Section 16 of the Constitution?
3. Please provide information on any national institutions, other than the courts, responsible for supervising the implementation of human rights in the State party, as well as on their mandate. Have such institutions been created in accordance with the Principles relating to the Status of National Institutions for the Promotion and Protection of Human Rights adopted by General Assembly resolution 48/134 (Paris Principles)? If no such mechanism exists, is there any initiative to introduce one?

States of emergency (art.4)

4. Please comment on the extent to which Section 14 of the Constitution relating to derogation s complies with article 4 of the Covenant. Has this Section ever been applied?

Counter-terrorism measures and respect of Covenant guarantees

5. Please indicate whether legislative measures have been adopted in relation to terrorism, and to what extent they may affect the rights guaranteed under the Covenant.

Right to life (art. 6)

6. Under the criminal code, what crimes incur the imposition of the death penalty? Do mandatory sentences of death still exist? Please provide details on the number of individuals currently awaiting execution and for which crimes, as well as on the available procedures of appeal. Have any persons been executed since 1991?

Prohibition of torture and cruel, inhuman or degrading treatment or punishment (art. 7)

7. What progress has been made by the Legal Reform Committee of the Division of Women Affairs with respect to developing a legal framework to combat domestic violence? Please provide information as to the number of complaints received, investigations carried out, types of penalties imposed, and compensation (if any) awarded.
8. Is corporal punishment still permitted in Grenada? Please provide information on the correctional methods employed in schools and other child institutions.

Prohibition of slavery, forced or compulsory labour (art. 8)

9. Is trafficking of persons prevalent in Grenada? If so, please provide details on the legal framework that addresses the problem and its concrete results with regard to traffickers and victims.

Right to liberty and security of person (art. 9)

10. Please indicate the time frame within which an arrested person must be brought before a judge and the length of time for which that person may be detained while awaiting trial. What redress mechanisms are in place to address instances of unlawful arrest or detention?

Treatment of persons deprived of their liberty (art. 10)

11. Please provide information on legal provisions governing the treatment of prisoners and other detainees. Are the provisions of article 10, paragraph 2, of the Covenant, concerning the segregation of accused from convicted persons, and the separation of youth prisoners from adult prisoners, respected in practice?
12. What procedures exist whereby a complaint of ill-treatment by police forces, prison officials or other authorities in places of detention, including in psychiatric institutions, can be filed and duly investigated?

Right to a fair trial (art. 14)

13. Please explain the procedure for granting legal aid and provide details of the number and type of cases in which legal aid has been sought, granted and denied in recent years. Comment, in particular, on the availability of legal aid for constitutional motions.
14. Please provide information on the current situation regarding persons who were convicted of the 19 October 1983 murder of Prime Minister Bishop and others (the "Grenada 17"). Has the written judgment of the Appeal Court been published and released to the defendants and their lawyers? Has the Judicial Committee of the Privy Council heard a constitutional motion presented by some of the members of "Grenada 17", challenging their detention, and with what results? Please indicate whether the report of the Truth and Reconciliation Commission, which according to some information was presented to Parliament in June 2006, has been published. What are its recommendations in relation to the "Grenada 17" and what follow-up does the State party intend to provide to them?

Right to freedom of association (art. 22)

15. What, if any, are the legislative restrictions on the right to form and join trade unions? Are certain categories of workers subject to particular restrictions? What percentage of the total work force belongs to a trade union?

Measures for the protection of minors (art. 24)

16. Despite the enactment of the Status of Children Act (1971) which removed any distinction between children born in and out of wedlock, there still appears to be obstacles to the equal enjoyment of Covenant rights by children born out of wedlock. In particular, separate legislative frameworks applicable to married and unmarried women appear to give rise to disadvantages in terms of provision of child support. Please indicate in this regard how protection against discrimination is ensured *in practice* to children born out of wedlock.
17. Please provide information on legislative and practical measures adopted to combat sexual abuse and exploitation of children and on their outcome.
18. Please indicate to what extent the juvenile justice system complies with article 24 of the Covenant and grants children adequate protection as required by their status as minors.

Rights of persons belonging to minorities (art. 27)

19. When was the last census conducted in Grenada? Please provide information on the existence and size of ethnic, religious and linguistic minorities in Grenada, and briefly describe how their rights under article 27 of the Covenant are guaranteed.

Dissemination of information relating to the Covenant (art. 2)

20. Please indicate the steps taken to increase awareness and understanding of the Covenant among the general public and State employees, especially teachers, judges, lawyers and police officers.