



**International covenant
on civil and
political rights**

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HUMAN RIGHTS COMMITTEE

ADVANCED UNEDITED VERSION

**List of issues prepared in the absence of the second periodic report of
Saint Vincent and the Grenadines, due on 31 October 1991**

1. Please inform the Committee of the actions taken to address the following matters of concern not otherwise covered in separate questions below, raised by the Committee at its last meeting with the State party in 1990: a) any development in legislation or case law implementing provisions of the Covenant in domestic law; b) imprisonment for debt; c) the backlog of cases in the courts; d) the absence of a law regulating interception of communications; e) the result of the legal challenge to section 64 of the Criminal Code; and the transmission of nationality to children.

Prohibition of discrimination and right to an effective remedy (art. 2)

2. What has the State party done to implement the Committee's findings in its Views on communication No.806/1998 (Eversley Thompson vs. Saint Vincent and the Grenadines), adopted on 18 October 2000?
3. Please indicate whether the State party provides in practice effective judicial remedies for victims of human rights violations. Please give examples including relevant case law.

Gender equality and non-discrimination (arts. 3 and 26)

4. It is reported that the level of participation of women in political parties is low and few women stand as candidates for elections. What measures have been taken by the State party to address this situation?

Right to life and prohibition of torture and cruel, inhuman or degrading treatment or punishment (arts. 6 and 7)

5. Which crimes continue to attract the death penalty? Can the death penalty be imposed on minors? Please provide disaggregated figures on the number of persons sentenced to death over the past ten years, age, sex, and the nature of crimes and the actual execution of the death penalty. Does the State party plan to abolish the death penalty and to ratify the second optional Protocol to the International Covenant on Civil and Political Rights?
6. According to information before the Committee, police officers have used excessive force in carrying out their duties. For instance, it was reported that in September 2004, Mr. Leroy Sayers died in police custody following a beating by police. His family claimed to have been denied access to the result of the post mortem examination and that there was no opportunity for an independent examination to determine the cause of death. Similarly, in April 2004, police reportedly captured and beat escaped prisoner, Dexter Brewster, who sustained injuries that left him paralyzed from the waist down. Please comment on these cases. What measures is the State party taking to investigate such cases, prosecute offenders and to award compensation when such claims are successful?
7. According to information received by the Committee, a high percentage of convictions are based on confessions, which may result from unwarranted police practices. Please indicate whether human rights training has been provided for members of the army and police officers, in particular concerning respect for the right to life and physical integrity.
8. According to information before the Committee, domestic violence prohibited by the Domestic Violence/Matrimonial Proceeding Act frequently goes unpunished due to the fact that victims do not seek assistance from the police. Has the State party taken any measures to encourage victims to report acts of violence?
9. Please comment on the following information:

The Corporal Punishment of Juveniles Act (Cap. 123) reportedly allows for the caning of juveniles who have been found guilty of crime or pleaded guilty thereto. This punishment, which is delivered on the bare buttocks and can consist of up to twelve (12) strokes, can reportedly be given by a policeman in a police station.

Prohibition of arbitrary detention (art. 9)

10. According to information before the Committee, police frequently fail to inform those arrested of their rights. Please comment.
11. According to information received by the Committee, there have been delays of 6-to 12-months in preliminary inquiries for serious crimes in 2003. Please comment.

Treatment of prisoners (art. 10)

12. Concerns with regard to the administration of prisons have been reported to the Committee, including the following: understaffing and underpaid guards, endemic violence, uncontrolled weapons and drugs, an increase in HIV/AIDS and insanitary conditions. Please indicate the number of prisons, the number of places they offer and the number of persons actually held (remand prisoners and convicted prisoners). What are the main difficulties encountered by the State party in relation to the treatment of prisoners?

Right to due process (art. 14)

13. Please provide information on the guarantees provided, in practical terms, to the rights enshrined in article 14, para. 3 (d) of the Covenant. Is legal assistance provided to indigents other than those who are charged with a capital offence?

Protection of children (art. 24)

14. According to information before the Committee, in police stations juvenile offenders are not kept separately from adult persons charged with crimes. Please comment.
15. Please provide information on juvenile prostitution in the State party, on the penalties for those who exploit prostitutes and other measures taken by the State party to address this phenomenon.

Dissemination of information regarding the Covenant (art. 2)

16. Please indicate the steps taken to increase the awareness and understanding of the Covenant and its first Optional Protocol procedure amongst the general public.

