



Organization of  
American States



**MECHANISM TO FOLLOW UP ON THE  
CONVENTION OF BELÉM DO PARÁ (MESECVI)  
FIRST SPECIAL CONFERENCE  
OF THE STATES PARTY TO THE  
CONVENTION OF BELÉM DO PARÁ**  
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**GRENADA**

**REPORT ON THE IMPLEMENTATION OF THE RECOMMENDATIONS FROM  
THE CEVI SECOND ROUND**

## **I. Introduction**

1. The Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women, the “Convention of Belem do Para” (The Convention), was adopted on 9<sup>th</sup> June, 1994 and came into effect on March 05<sup>th</sup>, 1995. The Convention is the standard against which member states’ obligation to protect women’s human rights and eliminate conditions that permit acts of violence against women is judged. Since the coming into force of the Convention (1995-2014), and the establishment of MESECVI in 2004, the first and second evaluation rounds held in 2005-2008 and 2009-2013 respectively, have concluded.
2. Grenada ratified the Convention on February 15, 2001<sup>1</sup>. The record shows that Grenada did not participate in the two evaluation rounds and has not responded to the questionnaires that sought to solicit information that would or intended to determine the extent to which it has complied with its obligations under the Convention.
3. This Report identifies the main advances made by Grenada since April 2012. It also seeks to review the information provided by that country in response to the 42 indicators recommended by the Committee of Experts (CEVI) of the Follow Up Mechanism to the inter-American Convention on the Prevention, Punishment and Eradication of Violence Against Women to the States Party. The indicators are designed to measure the progress on the right of women to live without violence based on the list of topics prioritized by MESECVI as follows:
  - Legislation
  - National Plans
  - Access to Justice
  - Information and statistics
  - Diversity

### **A. GRENADA’S DESCRIPTION.**

4. Grenada is a multi-island state of 133 square miles in the south of the Caribbean archipelago. It is located southwest of St. Vincent and the Grenadines and northwest of Trinidad and Tobago. It is a small developing state within the Windward Islands and has

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<sup>1</sup>Basic14.Conv%20of%20Belem%20Do%20Para%20Ratif.htm( General Secretariat OAS (Original instrument and ratifications)

membership in the Organization of the Eastern Caribbean States (OECS) and the Caribbean Community (CARICOM).

5. Grenada was colonized by both France and Britain but was ceded to Britain 1783. In 1877 it became a Crown Colony, a status that lasted until 1967 when Grenada attained Associate Statehood within the British Commonwealth and then full independence in 1974<sup>2</sup>.
6. The influence of European colonization on Grenada's language and culture is visible. The official language is English but Grenadians speak an English based – Creole and a Grenadian Creole- French/Patois. Much of Grenada's development and institutions are also modelled from the British; these include its education and legal systems. Grenada is a parliamentary democracy based on the Westminster model<sup>3</sup>.
7. Grenada has a population of 110,152 (July 2014 est.). Today, people of African descent make up 82% of the population. The remaining 18% of the population has an ethnic composition: mixed European and African (black) the so called mulatto representing 13%, European and East Indian 5 % and traces of Arawak/Caribs. 50% of this population is below the age of 30 years<sup>4</sup>.

## **B. ANALYSIS.**

### **Overview of the Main Advances Achieved by Grenada Between April 2012 To The Present**

8. Noting that no previous reports exist on which to make a comparison, the analysis is based mainly on the review of the responses to the current indicators. The analysis shows that the main advances achieved by Grenada in the fulfillment of its obligations to this Convention during this period are the enactment of amendments to legislation relating to sexual offences.
9. These are:
  - The Education (Amendment) Act 2012 that gives authority to the Ministry of Education to immediately suspend the service of any teacher who is reported to have committed any act of sexual abuse against a minor who attends the school where he/she is a teacher.
  - The Criminal Code 2012 - This legislation has given a wider definition to rape and has increased the penalties for sexual offences. The Criminal code also addresses trafficking in persons and includes provisions against forced prostitution.
  - A draft bill on Sexual Harassment has been developed but is yet to be approved.

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<sup>2</sup> <http://www.gogrenada.gd/about/about-the-islands/history/?ref=nav>

<sup>3 3</sup> <https://www.cia.gov/library/publications/the-world-factbook/geos/gj.html>

<sup>4</sup> <https://www.cia.gov/library/publications/the-world-factbook/geos/gj.html>

- The National Domestic Violence and Sexual Abuse Protocol (2011) that provide guidelines to responders in their interventions to address incidents and manage cases of Domestic and Sexual Violence.

10. In addition to laws the following were noted:

- Standard Operating Procedures exist for interaction between the Ministry of Social Development and victims and other persons affected by gender-based violence. One has also been approved for health.
- There are 20 civil society organizations involved in the promotion of right to life without violence.
- A National Strategic Action Plan to reduce Gender - Based Violence has been drafted. This Plan is awaiting Cabinet's approval.
- A Legal Aid clinic exists.

## **II. PROGRESS ON THE RECOMMENDATIONS**

### **- Legislation - Articles 1, 2 and 7 c), e) and g) of the Belém do Pará Convention**

#### **a. Formal Component (Reception of the Right)**

11. The report shows that the Convention of Belem do Para is not enacted as law in Grenada and therefore cannot be directly enforced as law in Grenada. The result is that in Grenada there is no legislation that specifically addresses the prevention and punishment of violence against women.

12. However in response to the indicators, the respondent claims that

*“ the articles of the Convention are given full consideration when legislation is being contemplated and that existing laws, such as the Domestic Violence Act (2010), provides for local enforcement of the principles of the Convention. Further, other relevant laws are being revised to ensure conformity with this Convention and other conventions”.*

13. There is also no reference to the term “gender- based violence in” the law. However, the report shows that between 2010 and 2012, Grenada amended several pieces of legislation that address issues pertaining to violent acts committed against women.

14. In 2010, the Domestic Violence Act 2010, and the Child (Protection and Adoption) Act 2010 were revised. Other legislations revised during 2012 are the Education (Amendment) Act 2012 and the Criminal Code 2012. There is no evidence that any of these laws has a specific definition of violence against women as defined by the Belém do Pará Convention.

15. The Revised Criminal Code has a wider definition of rape that includes: anal penetration, recognition of marital rape, interruption of pregnancy on therapeutic grounds and the interruption of pregnancy caused by rape. The punishment for these was not stated. Rape in a de facto union was not addressed. The rules of criminal procedure that are necessary to remove obstacles that could prevent women from seeking justice in these cases were not noted.
16. There are no specific pieces of legislation to cover trafficking in persons and forced prostitution. These are covered under the Criminal Code 2012. Sections 188 and 199 cover trafficking in persons. Section 189 was quoted in support of punishment of forced prostitution. No reference is made to this being criminalize in accordance with the standards of the “Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention Against Transnational Organized Crime” known as the Palermo Protocol, and the Elements of Crimes of the Rome Statute.
17. At present sexual harassment is not punishable by law. However, a Draft Bill was set for consideration since 2012. This Bill has provisions for punishment of Sexual Harassment in employment (education, worship etc).
18. Femicide, sexual violence committed in armed conflicts, sexual violence committed in state institutions, and obstetric violence are not addressed in the report.
19. The issues of conciliation, mediation and other methods of out of court settlement, femicide, provisions to prevent and punish sexual violence in armed conflict and natural disaster and by state institutions have not received any attention in the report.
20. The report also did not address in any detail the existence of legislation relating to sexual and reproductive rights. However, the report stated that legislation to protect some sexual reproductive rights is unnecessary as provisions exist by way of practices as follows:
  - Criminal offences related to sexual crimes, including forced prostitution and detaining a female to be carnally known.
  - Presence of Gynecology and Obstetrics wards at the General Hospital
  - Ante-natal clinics at District Medical Stations
  - Contraceptives are available and their use is legal.
21. Forced Sterilization emergency prophylactic treatment for HIV/AIDS and other sexually transmitted diseases did not receive any attention in the response.
22. Although awareness and prevention campaigns on violence against women and knowledge and promotion of their rights have not been highlighted as present in any of the existing laws, the country has undertaken a number of activities to address gender -

based violence, among which are training for responders to VAW, public sensitization and education.

23. There is no specific provision for reparation of victims.

### **Qualitative Signs of Progress**

24. The signs of progress stated are:

- 20 civil society organizations involved in the promotion and protection of the right to life. These CSOs participate in the formulation, implementation and monitoring of laws, policies and actions dealing with violence against women.
- Capacity building of civil society groups by providing government subventions to some of them
- Consultations on specific matters
- Involvement in planning committees
- Representation on Boards of Management, such as the Shelter for Abused Women
- Sub-contracting NGOs for specific services under government projects
- Receiving and considering suggestions made by civil society bodies
- Participation in public activities with civil society bodies

### **Process**

25. A steering Committee formed by the GNOW to monitor services for VAW. How the monitoring is done is not reported. The process involved in the making and amending of the legislations was not specified.

### **Result**

26. The result and processes do not relate to the indicators. The lone result on legislation was that no study or survey was done on the prevalence of any form of VAW.

### **b. Basic Financial Context and Budget Commitments**

27. Budget is allocated to support social agencies such as the Gender Affairs Division and the Ministry of Social Development that programme for violence against woman.

28. The report provided data on the Budgetary Allocation to VAW (capital expenditure) for the period 2007-2011. The recurrent expenditure for this period was not provided.

29. Subvention to the Legal Aid Clinic seems the only direct allocation to an entity associated with legislation. It is noteworthy that the budget allocation to the judiciary and those associated with the formulation and passing of legislation was not made available.

**Qualitative signs of progress**

30. No response given.

**Process**

31. No response given.

**Result**

32. No response given.

**c. State Capabilities**

33. “The National Domestic Violence and Sexual Abuse Protocol (2011) provide guidelines to responders in their interventions to address incidents and manage cases of Domestic and Sexual Violence. The sectors identified to form the coordinated and integrated response mechanism are the law enforcement, health care, social service, and legal service sectors as key responders to deal with domestic violence and sexual abuse. The Protocol also identifies the role of the Ombudsman in the process of holding agents of the State, as duty-bearers, accountable. In demonstrating the significance placed on this Protocol, the Ministers for each of the sectors, including the Prime Minister as Minister for National Security and Legal Affairs, publicly signed the Protocol into force on May 16, 2011”.

34. Note that the National Domestic Violence and Sexual Abuse Protocol (2011) is also reported as a process under national plans.

35. Standard Operating Procedures exist for interaction between the Ministry of Social Development and victims and persons affected by gender-based violence. One has been approved for health.

**Qualitative signs of progress**

36. No response given.

**Process**

37. The National Domestic Violence and Sexual Abuse Protocol (2011) was the result of collaboration between civil society and government. It was initiated by GNOW and supported by the Ministry of National Mobilisation and other stakeholders.

**Result**

38. No response given.

- **NATIONAL PLANS – Articles 1, 2, 7 and 8 c) and d) of the Belém do Pará Convention**

39. No result was provided for national plans and not a single process was noted.

**a. Formal Component (Reception of the Right).**

40. Grenada has a draft National Strategic Action Plan to reduce Gender- Based Violence. This plan has not been approved by Cabinet and therefore not yet implemented. However, a National Gender Policy and Action Plan with a policy statement have been approved by Cabinet.

41. The details of the Draft National Strategic Action Plan that were necessary to determine the extent to which the indicators were addressed were not stated. A response could have been made to the following indicators:

- Define and implement strategies or actions relating to prevent, punish and educate VAW in any sector
- Develop ongoing training plans on VAW and on women's right for specialized groups of persons in legislation
- Campaigns to raise awareness
- Strategies for cooperation with media and advertising agencies in order to publicize women's rights

42. There is no acknowledgment of women's knowledge of the existence of specialized services.

**Qualitative Signs of Progress**

43. Qualitative signs of progress omitted for all sections.

**Process**

44. No process given.

**Result**

45. No response given.

**b. Basic Financial Context and Budget Commitments.**

46. No response made. Qualitative signs of progress, process and results are omitted.

**c. State Capabilities.**

47. The report lists six existing official state agencies and the services they provide. It stated that no specialized officers or private spaces for VAW exist within the Royal Grenada Police Force. Nevertheless the police force has trained officer assigned to deal with domestic violence and sexual violence.

#### **Process**

48. The only contribution made was the Domestic Violence and Sexual Abuse Protocol (DVSAP) that provide guidelines for services providers' responses to victim, witnesses and other affected persons. The DVSAP was referred to earlier under legislation. The process involved in the formulation of the plan was not provided.

#### **Result**

49. The report stated that no statistical data was available.

#### **- ACCESS TO JUSTICE – Articles 7 d), f), and 8 c) and d) of the Belém do Pará Convention**

##### **a. Formal Component (Reception of the right)**

50. No specific response was made to these indicators. The above laws were referenced. It would have been fitting to have an explanation on the specific result or impact of the existing laws and how these legislations have influenced access to justice.

#### **Qualitative Signs of Progress**

51. Qualitative signs of progress were omitted.

#### **Process**

52. No process given.

#### **Result**

53. No response given.

##### **b. Basic Financial Context and Budget Commitments**

54. No response given. Qualitative signs of progress, process and results are omitted.

##### **c.State Capabilities**

55. The only indication of the state's capacity to act and enforce the provisions of the Convention is a list of the government entities that receive complaints. These are the Royal Grenada Police Force, The Legal Aid and Counselling Clinic and the Ministry of Social Development.

#### **Qualitative Signs of Progress**

56. Qualitative signs of progress were omitted.

**Process**

57. No process given.

**Result**

58. No response given.

- **INFORMATION AND STATISTICS – Article 8 h) of the Belém do Pará Convention**

**a. Formal Component (Reception of the Right)**

59. The fact that there is no response to most indicators makes it impossible to determine the level of compliance with article 8 h of the Convention.

60. The information provided throughout the document suggests that data collection is minimal. Grenada's response under legislation (page 3) I stated that "no studies or surveys were done on the prevalence of any form of VAW".

**Qualitative Signs of Progress**

61. A Draft National Plan exists but insufficient information is provided on this plan. It is therefore difficult to determine the budget allocated and the dissemination and promotion of results.

62. According to the respondent, the central statistical office has the responsibility to collect and produce statistics on violence against women.

63. Record of sexual offences and domestic homicide are kept by the Criminal Records Office of Royal Grenada Police Force. On page 14, under qualitative signs of progress for reception of rights it is reported that "criminal records on the assaults, attempted murder, causing harm, etc, are not disaggregated by the sex of the victim or perpetrator or readily available based on the cause. Therefore, those due to domestic violence are not easily ascertained. The same is true about the records from the Accidents and Emergency Department of the General Hospital."

64. Domestic violence record kept and submitted by the Domestic Violence Unit for processing.

65. The report was silent on records kept by the court, prosecution offices, and health centres. No mention is made of the following:

- Public attorney's offices of compliance and violence against women
- Publication of data
- Registries at the police station and in the judiciary on femicide

- Established rules for proper coordination between national statistic agencies and women institutes.

### **Process**

66. In the 2009- 2011 these two pieces of research were as follows:

- Mapping of Existing Social Service Delivery Systems and Identification of Gaps in Current Services” in terms of child protection, domestic violence and juvenile justice components for the implementation of OECS Family Law Reform
- Review of Policing and Prosecution of Sexual Offences: Country Report for Grenada

### **Result**

67. No response given.

68. Existence of records in the health system, care of victims of VAW and publication of data, no quantitative data provided by age, marital status, types of violence, location, types of complaint, trial, types of conviction and cause of death for:

- Number of female victims of violence each year
- Number of trials for VAW
- Number of trials for ending with conviction

## **b. Basic Financial Context and Budget Commitments**

69. No information provided.

### **Qualitative Signs of Progress**

70. Qualitative signs of progress omitted.

### **Process**

71. No process given.

### **Result**

72. No response given.

## **c. State Capabilities**

### **Qualitative Signs of Progress**

73. A number of researches have been done in Grenada between the period 2009 and 2014. Some of these were done by external agencies e.g.:

74. United Nations Children Fund (UNICEF), Action for Children and Huddersfield University into “Perceptions of, Attitudes to, and Opinions on Child Sexual Abuse in the Eastern Caribbean” was supported.

75. The Inter-American Commission on Women (CIM) - Grenada is currently participating in a research project on VAW commissioned for the Member States of the Organisation of Eastern Caribbean States (OECS).

76. Grenada has participated also in research to prepare and submit reports to varying organization to which they have commitments between 2011 and 2014.

- MESECVI in 2011
- CEDAW in 2012
- UN Secretary General Special Rapporteur in 2012
- UNECLAC
- Commonwealth Secretariat in 2013
- Beijing +20 Review 2014

**Process**

77. No process given.

**Result**

78. No response given.

- **DIVERSITY – Article 9 of the Belém do Pará Convention**

**a. Formal Component (Reception of the right)**

79. The respondent stated that there are “no minority in the population of over 100,000 and all laws, policies and protocols and services identified are available to all persons of all description”. The term minority needs to be defined in the context of Article 9 of the Convention.

80. It is difficult to comprehend a totally homogeneous society. It is reasonable therefore to assert that there are Grenadian women who on account of specific vulnerabilities (elderly, disabled, displaced, poor etc. are exposed to violence and must be given some consideration under Article 9 of the Convention of Belem do Para.

**Qualitative Signs of Progress**

81. No response.

**Process**

82. No process given.

**Result**

83. No response given.

**b. Basic Financial Context and Budget Commitments**

84. No comments were provided.

**Qualitative Signs of Progress**

85. Qualitative signs of progress omitted.

**Process**

86. No process given.

**Result**

87. No response given.

**c. State Capabilities**

88. No comments were provided

**Qualitative Signs of Progress**

89. Qualitative signs of progress omitted.

**Process**

90. No process given.

**Result**

91. No response given.

**D. CONCLUSION**

92. Grenada must be commended for its response to the recommendations of the CEVI on the Convention on the Prevention, Punishment and Eradication of Violence Against Women (MESECVI) to the states party. The country has made the greatest strides in the process of legal reform to bring national legislations in line with some of the principles and objectives of the Convention of Belém do Pará; However omissions, partial and or inadequate responses to many of the indicators rendered Grenada's response ineffective in providing a true picture of Grenada's reality and makes it impossible to determine the extent to which the state has met its commitments under the Convention.

93. There were no responses to many of the issues under legislation, among which are: conciliation, mediation and other methods of out of court settlement, femicide, provisions to prevent and punish sexual violence in armed conflict and natural disaster and by state

institutions. Legislation around sexual and reproductive rights was not addressed in any detail.

94. There were also omissions in response to many of the indicators limiting the analysis on specific issues such as Access to Justice and Diversity. The basic financial and budget commitments and the State capacity to act and enforce the provision of the Convention is not clear due in part to the omissions.

**Replies from Grenada**  
concerning the  
**Report on Implementation of Belem do Para**

to the

**Follow-up Mechanism Inter American Convention on the Prevention, Punishment and  
Eradication of Violence against Women “Belém do Pará Convention”**

**October 20, 2014**

**Replies concerning the Grenada Report on Implementation of Belem do Para to the Follow-up Mechanism Inter American Convention on the Prevention, Punishment and Eradication of Violence against Women “Belém do Pará Convention”**

The Competent National Authority for Grenada submits the following corrections and detailed information in response to the “Grenada Report on the Implementation of the Recommendations from the CEVI Second Round”, dated September 18 - 19, 2014.

<b>Para</b>	<b>Quoted Point</b>	<b>Adjustment</b>
<b>Introduction</b>		
2	The record shows that Grenada did not participate in the two evaluation rounds and has not responded to the questionnaires	Grenada did not participate in the first of two evaluation rounds, and participated late in the first part of the 2 <sup>nd</sup> evaluation round. However the responses were submitted too late to be assessed and considered by CEVI.
<b>GRENADA’S DESCRIPTION</b>		
4	It is located southwest of St. Vincent and the Grenadines and <i>northwest</i> of Trinidad and Tobago.	The three main islands are Grenada Carriacou and Petite Martinique.  Grenada lies north of Trinidad and Tobago.
6	The official language is English but Grenadians speak an English based – Creole and a Grenadian Creole-French/Patois.	The official language is English but Grenadians also speak an English based Grenadian Creole (not French Creole anymore)
<b>ANALYSIS</b>		
<b>Overview of the Main Advances Achieved by Grenada Between April 2012 To The Present</b>		
8	No previous <i>reports</i> exist	Use “analyses” (the report was submitted to MESECVI late, but it exists)
9	The National Domestic Violence and Sexual Abuse Protocol (2011) that provide guidelines to responders in their interventions to address incidents and manage cases of Domestic and Sexual Violence.	This line can be moved to paragraph 10 as the Protocol is not law.
10	This Plan is awaiting Cabinet’s approval.	The key elements of the plan were approved by Cabinet, but the full plan has to be submitted to Cabinet for consideration.
<b>PROGRESS ON THE RECOMMENDATIONS</b>		
15	Interruption of pregnancy on	Please clarify these phrases as part of this sentence

	therapeutic grounds and the interruption of pregnancy caused by rape.	
15	The punishment for these was not stated.	<p>In the Amendment to the Criminal Code, the maximum penalty for rape was increased from 15 years to 30 years imprisonment. Other sexual offences that now have a maximum of 30 years imprisonment are sexual intercourse with a person under thirteen years; incest by male (if the other person is under 13 years); and sexual intercourse with a step-child, foster child, ward or dependant (if the other person is under 13 years). The latter two are offences even if the other person is above 13 years, but the penalties are different. Marital rape carries a maximum sentence of 14 years imprisonment.</p> <p>Penalties for other sexual offences were also increased, such as sexual intercourse with a person under 16 years, then limited to “Defilement of <i>female</i> between thirteen and sixteen years of age”, which was increased from five (5) to fifteen (15) years. Sexual assault (defined as penetration of the genital organs, including anus, with any part of the body or with an object manipulated by another without consent, except for hygienic or bona fide medical purposes) was introduced and has a penalty of 14 years. Other sexual offences carry different penalties, but some of these don’t eliminate the possibility of a charge of rape. (Appendix I)</p>
15	Rape in a de facto union was not addressed.	<p>It is understood that penetration of a person with the genital organs of another without the consent of the first mentioned person is rape under the law, regardless to the relationship between them. This includes persons in de facto and visiting relationships. If they are married, however, the penalty is different. “Rape of a spouse” or marital was highlighted because it was recognised in law for the first time in 2012, since the Principal Act included a provision that a husband could not be charged for rape of his wife.</p>
15	The rules of criminal procedure that are necessary to remove obstacles that could prevent women from seeking justice in these cases were not noted.	<p>As noted on page 6, the amendment to the Criminal Code removed the statute of limitations and the honest belief defence in relation to sexual offences against a minor. These obstacles were not there for other sexual offences. The amendment also introduced summary offences for some crimes to allow faster access to justice. These adjustments were made to remove/reduce obstacles.</p> <p>Statute of limitation in regard to reporting incidents of sexual</p>

		<p>intercourse with a minor: In the Principal Act, it was required that the report be filed no more than three months after the alleged incident. The Amendment has removed this time limitation.</p> <p>“Honest belief” defence: Before its removal, the “honest belief” provision had allowed any defendant to claim that he had reason to believe that the child was above the age of consent at the time of the incident. The amendment removed this defence for defendants above the age of nineteen who are charged with sexual intercourse with a minor. A defendant up to the age of nineteen can so plead, but only if the minor is thirteen to sixteen years of age, not younger, and if the said defendant was not charged with a similar offence previously.</p>
17	Sexual Harassment in employment (education, worship etc).	Remove brackets
18	Femicide	The murder of a woman is treated on equal terms as the murder of a man. The accused can be charged with capital murder, non-capital murder, or manslaughter, based on the particulars of the case. Each has different penalties attached, with the most serious offence being capital murder. It must be noted that murder committed in the course or furtherance of a sexual offence is capital murder.
18	Sexual violence committed in state institutions	The Amendment to the Education Act (2012) addresses allegations of sexual violence by teachers and principals (see pages 5-6 of the Responses). The Act states that where a report is made against a teacher or principal of misconduct of a sexual nature with a student, the Chief Education Officer shall notify the Public Service Commission immediately, which may, within one week, place the teacher or principal on temporary leave of absence with pay, for the duration of a preliminary investigation and disciplinary enquiry in accordance with the relevant sections, but not exceeding 60 working days.
19	The issues of conciliation, mediation and other methods of out of court settlement	<p>Court Connected Mediation was introduced in Grenada through Practice Direction No. 1 of 2003 as a Member State of the Organization of Eastern Caribbean States (OECS) under the OECS Supreme Court. It makes provision for the referral to mediation of civil actions filed in the Court. The Practice Direction does not provide for court connected mediation in family proceedings.</p> <p><a href="http://www.gov.gd/departments/supreme_court_registry.html">http://www.gov.gd/departments/supreme_court_registry.html</a></p>
19	Femicide and sexual violence	Femicide and sexual violence in State institutions are

	in State institutions	addressed above in the reply to Paragraph 18.
21	Forced Sterilization	Forced sterilisation is not performed.
21	Emergency prophylactic treatment for HIV/AIDS and other sexually transmitted diseases	Emergency prophylactic treatment for HIV/AIDS and other sexually transmitted diseases is provided for in the Standard Operating Procedures for the Health Sector. It is found in the sub-section on prescribing treatment for victims to domestic violence and sexual abuse, including preventing tetanus, pregnancy, sexually transmitted infections, HIV, HTLV and Hepatitis B. The SOP also includes guidelines on universal screening, performing examination and obtaining laboratory tests, medico-legal evidence procedures, and self-care for the health care provider.
23	Reparation of victims	As identified in the responses page 4, the DV Act allows for certain payments. It permits the Magistrate to order the perpetrators to continue to maintain rent and other financial obligations to the victim (applicant) or family, or to pay money to the applicant, even if he/she has vacated the home by virtue of a Protection Order. While this is not the same as reparation, some financial relief for victims of domestic violence has been introduced.
25	A steering Committee	It was called a Task Force. (Sorry for omitting the correct name in the Responses.)
27	Budget is allocated to support social agencies such as the Gender Affairs Division and the Ministry of Social Development that programme for violence against woman.	Budget is allocated to support the social sector such as the programme for violence against women in the Gender Affairs Division of the Ministry of Social Development. (Please note that the Division of Gender and Family Affairs, which is responsible for the programmes to address Gender based violence and gender equality, among others, is part of the Ministry of Social Development.)
28-29	The report provided data on the Budgetary Allocation to VAW (capital expenditure) for the period 2007-2011. The recurrent expenditure for this period was not provided.  Subvention to the Legal Aid Clinic seems the only direct allocation to an entity associated with legislation. It is noteworthy that the budget allocation to the judiciary and those associated with the formulation and passing of	Recurrent expenditure for the Ministry of Social Development, the Court, Police, and other services are not quantified as the budgeted allocation for VAW is not listed separately from that of the general services/operations. We do not currently have the capacity to do a detailed analysis of the national budget to identify the total allocation to or expenditure on VAW.

	legislation was not made available.	
37	It was initiated by GNOW and supported by the Ministry of National Mobilisation and other stakeholders.	Please correct this to: It was initiated by GNOW, in partnership with the Ministry of Social Development and support from other stakeholders.
<b>NATIONAL PLANS</b>		
41	<ul style="list-style-type: none"> <li>- Define and implement strategies or actions or actions relating to prevent, punish and educate VAW in any sector</li> <li>- Develop ongoing training plans on VAW and on women's right for specialized groups of persons in legislation</li> <li>- Campaigns to raise awareness</li> <li>- Strategies for cooperation with media and advertising agencies in order to publicize women's rights</li> </ul>	<p>The ten strategies in the National Strategic Action Plan to Reduce Gender-based Violence are:</p> <ol style="list-style-type: none"> <li>1. Social Examination of Gender-Based Violence</li> <li>2. Enhancing the Capacity of the Lead Agent - the Ministry of Social Development</li> <li>3. Development of a Multi-Agency Approach</li> <li>4. Sensitisation, Training and Support for Responders in Stakeholder Entities</li> <li>5. Ensuring Adequate Legal Responses, Law Enforcement, and Rehabilitation of Perpetrators</li> <li>6. Improving and Providing Adequate Medical Responses</li> <li>7. Engaging the Education Sector for Educational Programming</li> <li>8. Communication for Public Education and Sensitisation</li> <li>9. Community Mobilisation and Outreach</li> <li>10. Providing Immediate to Long Term Support to Victims, Witnesses and Their Families</li> </ol> <p>A summary of the Strategic Action Plan is provided in Appendix III.</p>
42	There is no acknowledgment of women's knowledge	Pages 6-7 of the responses indicate that public sensitisation and presentations to groups are being done. Women and girls are being informed of the laws, services, etc.
44	No process given.	<p>The following process was used to develop the National Strategic Action Plan:</p> <p>“Review of existing materials on the topic already done by Consultants and others and other relevant laws and materials.</p> <p>“Meetings were held with officials of the Department of Gender within the MoSD. Questionnaires were prepared having regard to the terms of reference for the preparation of the Plan and distributed to stakeholders including Policy Makers, Department Heads, advocates, civil society and community leaders and front line responders. These were collected, responses collated and analyzed.</p> <p>“Interviews were held and responses reviewed for relevance</p>

		<p>and inclusion. Specific interviews/meetings were had with:</p> <ul style="list-style-type: none"> <li>- the Senior Programme Officer, MoSD;</li> <li>- GBV Programme Specialist, UN WOMEN;</li> <li>- the Coordinator of the DVU, MoSD;</li> <li>- the Chief Social Development Officer, MOSD;</li> <li>- the Psychologist, MOSD;</li> <li>- the Project Coordinator, GNOW;</li> <li>- survivors of domestic violence and sexual violence;</li> <li>- perpetrators of domestic violence;</li> <li>- the Director of Public Prosecutions;</li> <li>- the Chief Parliamentary Counsel;</li> <li>- the Head of the Statistics Department of the Ministry of Finance; and</li> <li>- Officers of the Royal Grenada Police Force (Western Division, the Eastern Division, the Southern Division and Carriacou, including Officers of the Community Relations Departments of these Divisions and the Officer in Criminal Investigation Division assigned with responsibility for response to sexual offences).</li> </ul> <p>“Three national consultations were held with stakeholders with a view of developing this Plan. The first national consultation was held with stakeholders on 30<sup>th</sup> March, 2011 at the Grenada National Stadium. The second Consultation was held in Carriacou with stakeholders from Carriacou and Petite Martinique on the 16<sup>th</sup> June, 2011.</p> <p>“The third and final national consultation was held on 28<sup>th</sup> July, 2011 at the Grenada National Stadium, to discuss the Consultant’s findings and recommendations for the Plan to end gender-based violence in Grenada. The Consultation was attended by policy makers from various Government Ministries and stakeholder, Agencies and NGOs who are responders and advocates, as well as persons impacted by gender-based violence in Grenada. This interactive consultation, allowed for the garnering of further information from stakeholders which was helpful to the preparation of the Plan.</p> <p>“The questionnaire comments, responses presentations, contributions, suggestions and recommendations received from stakeholders during the interactive consultations and interviews have all been integrated into the drafting of the findings and recommendations of this Plan. The completed</p>
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		Plan therefore, can be said to be owned by the contributors who are relevant stakeholders in the fight to end gender-based violence in Grenada. Its implementation inevitably foresees their collaboration.”
48	The process involved in the formulation of the plan was not provided.	<p>The process used to develop the National Domestic Violence and Sexual Abuse Protocol was briefly stated on page 11 of the Responses. However, more details follow:</p> <p>“The methodology applied to the creation of this protocol attributed paramount importance to a consultative process that guaranteed full participation by representatives of each stakeholder group.</p> <p>Stakeholders participated in a multidisciplinary round- table discussion in July 2009. At that session, major gaps and deficiencies were highlighted and the general response system was evaluated. This was followed up with individual interviews and focus groups comprised of the identified sectors. This created the opportunity for more targeted discussion of the specific issues relevant to each area of service delivery. Extensive interviewing was conducted with senior officers of the Royal Grenada Police Force; prosecutors with the police and DPP’s office; magistrates, health providers; counselors, social workers and officials within the respective ministries who have responsibility for policy development.</p> <p>A consultative process was critical to facilitating consensus amongst stakeholders and willingness to bring meaningful effect to the actual implementation of the protocol.</p>
<b>ACCESS TO JUSTICE</b>		
55	The Legal Aid and Counselling Clinic	The Legal Aid and Counselling is a programme of an NGO which receives financial support from Government (Pages 5, 9 & 10 of the Responses).
<b>INFORMATION AND STATISTICS</b>		
64	Domestic violence record kept and submitted by the Domestic Violence Unit for processing.	Domestic violence records are kept by the police and submitted to the Gender-based Violence Unit for processing.
<b>DIVERSITY</b>		
79	“no minority in the population of over 100,000	The quoted statement (p15 of the Responses) is “no specified minority in the population of over 100,000”
80	It is difficult to comprehend a totally homogeneous society.	It has been accepted that Grenada is not a homogeneous society, but no minority group has been officially identified.

		<p>However, programming for VAW does recognize the special groups.</p> <ul style="list-style-type: none"> <li>- To protect persons who have severe mental challenges, the Criminal Code has a identified “sexual intercourse with an imbecile” as an offence.</li> <li>- The Standard Operating Procedures for the Health Sector contains sections with special considerations for elderly women, children, men, and mentally incapable patients.</li> <li>- In our recent public sensitisation campaigns, we made a brochure listing services for VAW available in Braille, and placed with the Council for the disabled, the hospital ward for eye-care, etc.</li> <li>- Further, the following is one of the actions for Strategy 10 of the National Strategic Action Plan which encapsulates the recognition of vulnerable groups with regard to domestic and sexual violence: “Develop special services and programmes for victims of domestic and sexual violence who require particular attention, such as:             <ul style="list-style-type: none"> <li>a. women and girls who face multiple causes of vulnerability, such as those arising from economic, social, cultural and educational factors;</li> <li>b. men and boys;</li> <li>c. persons who have experienced or are experiencing multiple forms of abuse and/or discrimination;</li> <li>d. persons living in at-risk communities and homes;</li> <li>e. persons with disabilities;</li> <li>f. persons living with and affected by HIV/AIDS;</li> <li>g. persons with children who may also be in need of care and protection;</li> <li>h. children who have experienced, witnessed or been affected by GBV;</li> <li>i. persons who have previously experienced the support system.”</li> </ul> </li> </ul>
<b>CONCLUSION</b>		
92	However omissions, partial and or inadequate responses to many of the indicators rendered Grenada’s response ineffective	Omissions in the original Responses are regretted, especially where the information was available. It is also hoped that corrections would be made where the information was provided but not reflected accurately. It is hoped that the details provided above, the appendices and the attached Summary of the National Action Plan will fill some of the gaps.

**APPENDIX I**

**LIST OF MAIN SEXUAL OFFENCES AND THE ASSOCIATED MAXIMUM PENALTY**

The following table provides easily identifiable criminal offences that can be used to charge accused offenders of sexual abuse or sexual violence. Law Enforcement and Prosecution Officials can apply any of these offences, as well as others, based on the specifics of the activities.

NAME OF OFFENCE	SECTION	MAXIMUM PENALTY
<b>Indecent assault</b>	<ul style="list-style-type: none"> <li>- Summary Offence: Amendment sec. 6 for Principal Code Sec 81A</li> <li>- Indictable Offence as part of Aggravated assault: Amendment sec. 18 for Principal Code Sec 176</li> </ul>	Summary offence: 5 yrs imprisonment  Indictable offence: 10 yrs imprisonment
<b>Rape, including rape of a Spouse</b> (or marital rape) <i>Penetration of the genital organs, including anus, with the genital organs of another without consent</i>	Amendment sec. 19 for Principal Act Sec 177  Amendment sec 26-27 for Principal Act Sec 194-195	Rape – 30 yrs imprisonment  Rape of a spouse – 14 yrs imprisonment
<b>Sexual assault</b> <i>Penetration of the genital organs, including anus, with any part of the body or with an object manipulated by another without consent, except for hygienic or bona fide medical purposes.</i>	Amendment sec. 19 for Principal Act Sec 178	14 yrs imprisonment
<b>Inducing sexual intercourse by force, duress, etc.</b>	Amendment sec. 19 for Principal Act Sec 179	5 yrs imprisonment (Can also be rape – Sec 183)
<b>Sexual intercourse with a person under thirteen years</b>	Amendment sec. 19 for Principal Act Sec 180	Committing offence: 30 yrs imprisonment Attempt: 20 yrs imprisonment (Can also be rape – Sec 183)
<b>Sexual intercourse with a person under sixteen years</b>	Amendment sec. 19 for Principal Act Sec 181	Committing offence: 15 yrs imprisonment (Except where the offender is not more than 19 yrs old and is first offence) (Can also be rape – Sec 183)

<p><b>Sexual intercourse with an imbecile</b></p>	<p>Amendment sec. 19 for Principal Act Sec 182</p>	<p>5 yrs imprisonment (Can also be rape – Sec 183)</p>
<p><b>Incest by male</b> <i>Sexual intercourse with daughter, granddaughter, sister, aunt, niece, or mother</i></p>	<p>Amendment sec. 19 for Principal Act 183 (A)</p>	<p>If female is under 13 years old – 30 yrs imprisonment If female is above 13 years old, 15 yrs imprisonment</p>
<p><b>Incest by female</b> <i>Sexual intercourse with a father, grandfather, son, brother, uncle or nephew</i></p>	<p>Amendment sec. 19 for Principal Act 183 (B)</p>	<p>5 yrs imprisonment</p>
<p><b>Sexual intercourse with a step-child, foster child, ward or dependant</b> <i>Includes adopted child or any other child who is living under adult's care and protection</i></p>	<p>Amendment sec. 19 for Principal Act 183 (C)</p>	<p>If the victim is under 13 years old – 30 yrs imprisonment If the victim is above 13 years old – 12 yrs imprisonment</p>
<p><b>Mandatory Reporting of suspected abuse of a child</b> <i>If a parent, guardian or a person who has the actual custody, charge or control of a child fails to comply once there is reasonable grounds for believing that a sexual offence has been committed against that child under 18 yrs old</i></p>	<p>Amendment sec. 19 for Principal Act 183 (D)</p>	<p>Fine of \$15,000.00 or imprisonment of 7 years or both</p>
<p><b>Permitting or aiding the defilement of a young female or male</b> <i>Owner, occupier or manager of any premises who induces or knowingly allows a minor to be on the premises for the purpose of sexual intercourse</i></p>	<p>Amendment 20 for Principal Act Sec 187</p>	<p>Male or female under 13 years old – 20 yrs imprisonment Male or female above 13 years old – 10 yrs imprisonment</p>
<p><b>Procuration</b> <i>Procures a female or male to have sexual intercourse or become a common prostitute within or outside the State, or to leave the State, or to leave her usual place of abode within the State for purposes of prostitution</i></p>	<p>Amendment 22 for Principal Act Sec 188</p>	<p>10 yrs imprisonment</p>

<b>Trading in prostitution</b>	Amendment 23 for Principal Act Sec 188 A	10 yrs imprisonment
<b>Keeping a brothel</b>	Amendment 23 for Principal Act Sec 188 B	10 yrs imprisonment
<b>Forcible taking or detaining of a person to have sexual intercourse</b>	Amendment 24 for Principal Act Sec 189	10 yrs imprisonment
<b>Unlawful detention of a person to have sexual intercourse</b>	Amendment 22 for Principal Act Sec 190	5 yrs imprisonment

## APPENDIX II GBV PREVENTION MESSAGES

### *Promoting healthy relationships*

The concept of healthy relationships uses the acronym **CARE: Communication, Appreciation, Respect and Equality**. This is a strategy to create more equitable inter-personal relationships in which women and girls can exercise their human rights, including the right to a life free of violence. It is intended to encourage men and women, especially young men and young women, to do the following:

- examine their relationships against selected indicators to assess whether they are in or forming healthy relationships;
- negotiate or form healthy relationships;
- identify early signs of abusive relationships, and take steps to either correct or end them;

The messaging is directed at men's and women's treatment of each other as equal partners in a relationship that should be mutually rewarding. This has been gaining momentum and it is drawing men into the discussion as partners, demonstrating that they too are beneficiaries of relationships in which **men CARE** and **women CARE**.

While the main intention of the healthy relationships messaging is to promote more equitable relationships between intimate partners, its content is also generalized to other inter-personal relationships. This approach promotes gender equality in general, and can have a positive impact on reducing violence against women in public spaces such as sexual harassment.

### *Confronting myths, beliefs, and practices*

A list of beliefs, myths and practices has been identified, including myths associated with religious faiths, especially the Bible, whether or not they were misinterpretations or doctrine impacting on women's roles, men's roles and tolerance of GBV in relationships. The set of beliefs, myths and practices were examined further and two **underlying beliefs** highlighted to be addressed. Those are:

- **GBV, especially IPV, is a private matter, so others should not get involved.**
- **Women are objects to be used for men's pleasure and can be owned by men, or treated as property or things.**

The main **myths** to be addressed are:

- **Men should be strong, macho and in-charge**
- **Perpetrators cannot control their actions**
- **Victims cause intimate partner violence or sexual assault by their action/conduct/behaviour**
- **Women falsely accuse men of rape, sexual assault and sexual harassment all the time.**

It is expected that once these myths are addressed, the impact will be felt on issues such as men's use of violence against women and girls; stigma and discrimination against victims; shame and self blame by victims; offender accountability; minimising violence and under-reporting; and the culture of tolerance and silence.

## **APPENDIX III**

### **Summary – The National Strategic Action Plan to Reduce GBV**

#### **STRATEGIC ISSUES**

Having completed a situational analysis of gender based violence (GBV) in Grenada, it was recognised that it would be necessary to implement the Plan with the aim of providing strategic direction to reduce the incidence of all forms of gender-based violence in Grenada by:

- identifying, protecting and supporting victims as they move from being disempowered to becoming survivors who are empowered to make decisions and take actions in their best interests;
- identifying, punishing and rehabilitating perpetrators to reduce offending and re-offending, whether with current or potential victims;
- promoting healthy intimate relationships and early intervention to reduce inequalities and other factors that enable the occurrence of GBV;
- creating an environment of zero-tolerance to gender-based violence at the institutional, community and personal levels;

#### **VISION STATEMENT**

A society in which all persons, from all social and economic backgrounds and communities, have equal opportunities to enjoy lives free from all forms of GBV.

#### **STRATEGIC GOALS OF THE PLAN**

1. To determine and monitor the extent of the problem of GBV in the Grenadian society and respond effectively.
2. To facilitate an assessment of the existing infrastructure and related needs required to implement strategies to address GBV.
3. To ensure the enhancement of the capacity of the relevant lead agency.
4. To improve the competency and preparedness of all responders for an excellent and effective delivery of services to persons at risk, who are being abused, or are in need of punishment and/or rehabilitation;
5. To provide holistic national sensitisation, awareness and educational programmes;
6. To identify and work with ‘persons at risk’ of becoming victims or offenders; particularly in rural, urban and closed communities; and women, men, youth and children.
7. To protect potential and actual victims and realising holistic victim support;
8. To prevent offending and re-offending by persons disposed to GBV;
9. To ensure monitoring and continuous evaluation of the implementation of the Plan;

#### **LIST OF STRATEGIES**

1. Social Examination of GBV
2. Enhancing the Capacity of the Lead Agent - the Ministry of Social Development

3. Development of a Multi-Agency Approach
4. Sensitisation, Training and Support for Responders in Stakeholder Entities
5. Ensuring Adequate Legal Responses, Law Enforcement, and Rehabilitation of Perpetrators
6. Improving and Providing Adequate Medical Responses
7. Engaging the Education Sector for Educational Programming
8. Communication for Public Education and Sensitisation
9. Community Mobilisation and Outreach
10. Providing Immediate to Long Term Support to Victims, Witnesses and Their Families

### **CROSS-CUTTING APPROACHES**

- a) The Plan will be implemented using a principle-based approach. The core guiding principles would be human rights and gender equality. This approach will be adopted to inform the implementation of this Plan and guide the work of the MACE and stakeholders in responding to GBV.
- b) Service providers would use a collaborative approach as promoted by international best practices which encourage government, civil society and community groups to work together.
- c) The Plan would be implemented using a holistic approach, providing a comprehensive response with various strategies being acted upon alongside each other.

### **ROLES OF STAKEHOLDERS**

The Government recognises that different Stakeholder Agencies have different roles, but by working collaboratively, they would provide holistic services. The key functions for the main stakeholders are as follows:

<b>STAKEHOLDER AGENCY</b>	<b>KEY ROLES</b>
Ministry of Social Development, in particular the Domestic Violence Unit within the Division of Gender and Family Affairs, together with the relevant entities established under the aegis of this Ministry	<ul style="list-style-type: none"> <li>– Planning for implementation, monitoring and evaluation of this Plan</li> <li>– Programming for victims, witnesses, perpetrators and others affected by GBV</li> <li>– Direct social and psychological services</li> <li>– Economic support to victims and their families</li> <li>– National sensitisation and community education</li> <li>– Advocating, facilitating, coordinating and monitoring for effective programming by other stakeholders</li> </ul>
Ministry of National Security	<ul style="list-style-type: none"> <li>– Recognising GBV as a category of crime that impacts on citizen security &amp; national development and adopting appropriate mechanisms to address it</li> </ul>

Royal Grenada Police Force	<ul style="list-style-type: none"> <li>– Law enforcement, including emergency response, investigation, protection, charging and prosecution</li> </ul>
Ministry of Health and health care facilities	<ul style="list-style-type: none"> <li>– Health care services (physical and mental)</li> <li>– Providing Medico-legal responses</li> </ul>
Ministry of Education and educational institutions	<ul style="list-style-type: none"> <li>– Formal education at pre-school to tertiary levels</li> <li>– Specialised training for pre-service and in-service professionals</li> <li>– Policies for all staff and students</li> </ul>
Ministry of Legal Affairs	<ul style="list-style-type: none"> <li>– Legislative reform</li> <li>– Ensuring/facilitating justice</li> </ul>
Civil society actors, such as NGOs, CBOs, FBOs, academia, trade unions and the private sector	<ul style="list-style-type: none"> <li>– Direct social and psychological services</li> <li>– Advocacy</li> <li>– Research</li> <li>– National sensitisation and community education</li> <li>– Partnership, engagement and involvement</li> </ul>