

Universal Periodic Review (35th session, January – February 2020)

Contribution of UNESCO

Grenada

I. Background and framework

<i>Title</i>	<i>Date of ratification, accession or succession</i>	<i>Declarations /reservations</i>	<i>Recognition of specific competences of treaty bodies</i>	<i>Reference to the rights within UNESCO's fields of competence</i>
<i>Convention against Discrimination in Education 1960</i>	Not a State Party	Reservation to this Convention shall not be permitted		Right to education
<i>Convention concerning the Protection of the World Cultural and Natural Heritage (1972)</i>	13/08/1998 Acceptance			Right to take part in cultural life
<i>Convention for the Safeguarding of the Intangible Cultural Heritage (2003)</i>	15/01/2009 Ratification			Right to take part in cultural life
<i>Convention on the Protection and Promotion of the Diversity of Cultural Expressions (2005)</i>	15/01/2009 Ratification			Right to take part in cultural life

II. Promotion and protection of human rights on the ground

A. Education

1. The **Constitution of Grenada of 1973** does not enshrine the right to education. Auxiliary rights such as freedom of religion, freedom of conscience, and the right of religious communities to establish and maintain places of education are provided for in Article 9. Article 13 enshrines the principle of non-discrimination. In this section, the expression "discriminatory" "means affording different treatment to different persons attributable wholly or mainly to their respective descriptions by race, place of origin, political opinions, colour, creed or sex whereby persons of one such description are subjected to disabilities or restrictions to which persons of another such description are not made subject or are accorded privileges or advantages which are not accorded to persons of another such description."

2. The **Education Act of 1976** was revised in 2002 by Act no. 21. The right to education is established in Article 14 which states that "Subject to available resources and to this Act, all persons in Grenada are entitled to receive an education appropriate to their needs." Article 15 provides for compulsory education and puts an onus on the Chief Education Officer to "provide for every person of compulsory school age who resides in Grenada [...] an educational programme consistent with the requirements of this Act". Free tuition in public schools is granted by Article 16: "Neither a student nor his or her parents may be charged tuition fees or other costs for attendance at a public school except that (a) a student who is not a citizen of a Member State or Associated Member State of the Organisation of Eastern Caribbean States nor of a Commonwealth country may be charged tuition fees and other costs as prescribed by the Minister by order; (b) students at public schools may be charged for books, specialised services and other items listed in a notice signed by the Minister and published in the Gazette. (2) If a student is over 18 years of age, fees and charges payable at an educational institution are payable by the student or by his or her sponsors, but otherwise are payable by the parents of the student." Article 21 adds that "Subject to this Act, parents of children of compulsory school age may choose for their children education in a public school, a private school or an assisted private school, or home education in accordance with section." Article 26 enshrines the principle of non-discrimination based on race, place of origin, political opinion, colour, creed, sex or physical handicap. In Part X on Scholarships and other Financial Assistance, Article 167 provides that "A scholarship must be of sufficient value to cover all reasonable expenses associated with the course of studies approved for the scholarship".

B. Freedom of opinion and expression

Constitutional and Legislative Framework:

3. Freedom of expression is guaranteed under Article 1 of the Constitution of Grenada (1973).¹

¹ http://www.wipo.int/wipolex/en/text.jsp?file_id=235322

4. In July 2012, Grenada became the first Caribbean state to decriminalize defamation, repealing Section 252 of the Penal Code (1987) that regulates "negligent" and "intentional" libel, and Section 253 that established the circumstances under which criminal defamation could be committed.

5. However, seditious libel under Section 327 remains a criminal offence that carries a jail term of up to two years. Section 328 that makes insulting the Queen a crime also remains.²

6. A freedom of information law does not currently exist in the country.

Implementation of legislation:

7. The National Telecommunications Regulatory Commission, established by the Telecommunications Act, regulates the telecommunication sector in Grenada. The Commission consists of not less than three and not more than five Commissioners, all of whom are appointed by the Minister.³

Safety of Journalists:

8. UNESCO has recorded no killings of journalists in Grenada since systematic reporting began in 2008.

III. Review and specific recommendations

A. Education

9. Recommendations addressed to Grenada during the previous UPR cycle included: to implement human rights awareness and anti-discrimination education programs, to raise the quality of education, to strengthen actions aimed at eliminating discrimination against women in particular by guaranteeing effective access to education to girls and pregnant teenagers and to ensure equal rights and opportunities for women by promoting education and vocational training.

² http://www.oas.org/juridico/spanish/mesicic2_grd_criminal_code.PDF

³ <http://laws.gov.gd/>

Policy

The OECS (Organisation of Eastern Caribbean States) Education Sector Strategy (OESS) provides the framework for a regional approach to achieve better quality education in the region for the 2012 – 2021 period. Seven strategic imperatives are:

- Improve the quality and accountability of Leadership and Management
- Improve Teachers' Professional Development
- Improve the quality of Teaching and Learning
- Improve Curriculum and Strategies for Assessment
- Increase (and expand) access to quality Early Childhood Development Services (ECDS)
- Provide opportunities for all learners in Technical and Vocational Education and Training (TVET)
- Increase provisions for Tertiary and Continuing Education

Access

- Education is free and obligatory from 5 to 16 years
- Free does not translate to no cost, with the price of uniforms, shoes and textbooks estimated at about EC\$250 per child in 2008.⁴
- Poor children are disproportionately disadvantaged in education – social safety net strategies targeting these families are underfunded and unable to reach 100% coverage. Student support schemes (cash and in-kind) reached only 10% of school-age children from poor households, while the school feeding programme reached 9,500 students in 2008.
- Grenada achieved universal secondary education in September 2012.⁵

Quality / Teachers

- The quality of “basic education is affected by the low percentage of fully trained teachers and there is a continuing disparity in academic success among girls and boys.”⁶
- The government has started the process of regularizing the employment status of teachers who have been temporarily employed for many years, which is expected to contribute to an increase in the retention of qualified teachers.⁷
- The child-friendly schools (CFS) concept was launched in 2013 and has grown to cover 1,270 students in 2016. CFSs focus on positive behavior management, student-centred classrooms, democratic participation and inclusiveness, and the approach has been adapted to children with special needs by introduction to the Victoria School of Special Education.⁸

Disabilities

- Grenada is one of only a few countries in the region to prioritize a small percentage of funding for special education (1.5% in 2012-2013).⁹

⁴ UNICEF children report 2017, p. 42

⁵ UNICEF children report 2017, p. 47

⁶ UNICEF children report 2017, p. 42

⁷ UNICEF children report 2017, p. 42

⁸ UNICEF children report 2017, p. 47

⁹ UNICEF children report 2017, p. 42

- The Government ratified the Convention on the Rights of Persons with Disabilities in 2014, but has not yet specifically prohibited discrimination against persons with disabilities.

TVET

- The CARICOM Regional Strategy for Workforce Development and Economic Competitiveness is conceived with a vision of “sustainable economic prosperity through the creation of a globally competitive regional workforce enabled by a market-responsive education and training system”. The resulting Caribbean Vocational Qualifications (CVQ) programme facilitates certification corresponding to specific occupational areas that are relevant to employment needs and based on a regional set of standards and competences.¹⁰
- TVET should especially target women who are often in low-skilled jobs.

Violence in Schools

- Corporal punishment is not legislated for. In cultures that continue to legalize and practice corporal punishment in schools, it is a major challenge to eradicate violence.

LGBT

- An ambiguous provision in the Criminal Code prohibits “unnatural connexion”, by which it is taken to mean homosexual activity. A Human Rights Watch report found that discriminatory laws maintain stigma and discrimination against the LGBT community in all aspects of life, including education.¹¹

Financing

- Government expenditure on education is comparatively high in Grenada – 10.1% of the GDP in 2016, with education representing a 42.8% share of total government expenditure in the same year.¹²

Specific recommendations:

10. Grenada should be encouraged to:
 - Ratify the Convention against Discrimination in Education.
 - Continue its efforts towards equal access to quality education, including for children coming from low-incomes families.
 - Prohibit corporal punishment, through legislation.
 - Specifically prohibited discrimination against persons with disabilities.

¹⁰ UNICEF children report 2017, p. 49

¹¹ Human Rights Watch, “I Have to Leave to Be Me”, Discriminatory Laws against LGBT People in the Eastern Caribbean. <https://www.hrw.org/report/2018/03/21/i-have-leave-be-me/discriminatory-laws-against-lgbt-people-eastern-caribbean>

¹² GEM Report 2019, p. 285

- Continue to build on TVET institutions and qualifications and ensure that women are given access to such education in an attempt to lessen the gender gap.
- Implement sexual education curricula, which are comprehensive, scientific and evidence-based. These curricula should be inclusive and reflect all sexualities. Amend legislation that is discriminatory against the LGBT community and ensure human rights and citizenship education in schools to try to remove social stigma that persists.
- Continue its efforts to submit regularly national reports for the periodic consultations on UNESCO's education-related standard-setting instruments, notably on the Convention against discrimination in education.
- Share with UNESCO any relevant information to update its country profile on UNESCO's Observatory on the Right to Education.

B. Freedom of opinion and expression

11. The Government is encouraged to introduce a freedom of information law that is in accordance with international standards.
12. The Government is encouraged to continue decriminalizing defamation laws and place them within the civil code, in accordance with international standards.
13. The Government is encouraged to assess the appointment system for the regulator of the communication activities in order to ensure that this body is independent.

C. Cultural rights

14. As a State Party to the Convention concerning the Protection of the World Cultural and Natural Heritage (1972)¹³, the Convention for the Safeguarding of the Intangible Cultural Heritage (2003)¹⁴ and the Convention on the Protection and Promotion of the Diversity of Cultural Expressions (2005)¹⁵ Grenada is encouraged to fully implement the relevant provisions that promote access to and participation in cultural heritage and creative expressions and, as such, are conducive to implementing the right to take part in cultural life as defined in article 27 of the Universal Declaration of Human Rights and article 15 of the International Covenant on Economic, Social and Cultural Rights. In doing so, Grenada is encouraged to give due consideration to the participation of communities, practitioners, cultural actors and NGOs from the civil society as well as vulnerable groups (minorities, indigenous peoples, migrants, refugees, young peoples and peoples with disabilities), and to ensure that equal opportunities are given to women and girls to address gender disparities.

¹³ Periodic Report available at: <https://whc.unesco.org/archive/2013/whc13-37com-10A-en.pdf>

¹⁴ Periodic Report not available.

¹⁵ Periodic Report not available.

**D. Freedom of scientific research and
the right to benefit from scientific progress and its applications**

15. Grenada did not submit its National Report on the implementation of the Recommendation on the Status of Scientific Researchers (1974) for the Second Consultation covering the period from 2013 to 2016 (<http://unesdoc.unesco.org/images/0025/002592/259256e.pdf>). Therefore Grenada is encouraged to report to UNESCO in future on the implementation of the newly adopted Recommendation on Science and Scientific Researchers (2017), which supersedes the 1974 Recommendation, on any legislative or other steps undertaken by it with the aim to ensure the application of this international standard-setting instrument paying a particular attention to the legal provisions and regulatory frameworks which ensure the implementation of human rights of scientific researchers, as well as human rights obligations related to science, the principle of non-discrimination, including urging active promotion of women and girls entering scientific careers, as well as the scientists' rights of autonomy, freedom of research, expression and publication.