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**UNIVERSAL PERIODIC REVIEW
49TH SESSION**

**STATUS OF HUMAN RIGHTS IN GRENADA
FOR THE 49TH SESSION OF THE
UNIVERSAL PERIODIC REVIEW**

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Introduction

1. The European Centre for Law and Justice (ECLJ) is an international, non-governmental organization dedicated to promoting and protecting human rights around the world. The ECLJ also holds Special Consultative status before the United Nations Economic and Social Council. This report discusses the status of human rights in Grenada for the 49th session of the Universal Periodic Review (UPR).

Background

2. Grenada is a country located in the Caribbean with a population of approximately 116,400 people.¹ The country is predominantly Christian, with approximately 49.2% of the population identifying as Protestant Christian, 36% as Roman Catholic, 1.2% as Jehovah's Witness, 1.2% as Rastafarian, 5.5% as other, and 5.7% belonging to no religion.²

3. Grenada's last review was held on January 27, 2020.³ As a result of the review, Grenada received 148 recommendations, 99 of which it supported.⁴ It was recommended by Iceland, and noted by Grenada, that the government "[d]ecriminalize abortion in all circumstances and remove legal, administrative and practical barriers to accessing safe and legal abortion services."⁵ No recommendations were made regarding religious freedom.

Legal Framework

4. Article 2 of the Constitution of Grenada states that "[n]o person shall be deprived of his life intentionally"⁶

5. In Grenada, abortion is strictly prohibited except in cases to preserve the health and life of the mother. Under Article 250 section 2 of the Criminal Code of Grenada:

(2) Any act which is done, in good faith and without negligence, for the purpose of medical or surgical treatment of a pregnant woman is justifiable, although it causes or is intended to cause abortion or miscarriage, or premature delivery, or the death of the child.⁷

¹ Grenada, WORLD DATA, <https://www.worlddata.info/america/grenada/index.php> (last visited Oct. 9, 2024).

² Grenada Religions, INDEX MUNDI, <https://www.indexmundi.com/grenada/religions.html> (last visited Oct. 9, 2024, 2024).

³ Universal Periodic Review – Grenada, OHCHR, <https://www.ohchr.org/en/hr-bodies/upr/gd-index> (last visited Oct. 9, 2024).

⁴ Infographic – Grenada, OHCHR, https://www.ohchr.org/sites/default/files/lib-docs/HRBodies/UPR/Documents/Session35/GD/grenada_50752815.pdf (last visited Oct. 9, 2024).

⁵ *Id.*).

⁶ CONSTITUTION OF GRENADA rev. 1992 art. 2, https://www.constituteproject.org/constitution/Grenada_1992.

⁷ CRIMINAL CODE OF GRENADA art. 250 § 2, https://www.oas.org/juridico/spanish/mesicic2_grd_criminal_code.PDF.

6. Grenada is a party to the International Covenant on Civil and Political Rights (ICCPR).⁸ Article 6 of the ICCPR states that “[e]very human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life.”⁹ In addition, Grenada has a responsibility to uphold pro-life principles enshrined in other international agreements such as the United Nations Charter, the Universal Declaration of Human Rights (UDHR), and the 1994 Cairo Conference on Population and Development.

Abortion

7. Countries in the Latin America and Caribbean region have begun expanding access to abortion,¹⁰ resulting in the deaths of millions of preborn babies. In fact, from 1990-1994, an estimated 4.4 million abortions were carried out every year.¹¹ This number has drastically increased to an estimated 6.5 million abortions being carried out every year.¹²

8. Grenada’s pro-life stance has helped protect the lives of preborn babies from the devastation of abortion. This stance has withheld pressure from the international community, which has called for Grenada to legalize abortion in the country. In November 2023, Grenada signed the Samoa Agreement, a legal framework governing relationships between the European Union (EU) and the Organization of African, Caribbean and Pacific States (OACPS).¹³ This agreement, among other things, includes sections on “sexual and reproductive rights,” which often means providing access to abortion.¹⁴ While Grenada entered into the agreement, the Prime Minister of Grenada, Dickon Mitchell, stated that Grenada “is not willing to surrender its sovereignty to any international organisation” and that “the morality of other countries is not something that should be imposed on the morality of countries.”¹⁵ Grenada has taken no action to legalize abortion since signing the agreement.

9. Grenada has no obligation to accept a recommendation that calls for the decriminalization of abortion, a procedure that deliberately takes the life of an innocent preborn baby. Even U.N. Member States have not reached a consensus when it comes to providing access to abortion. In fact, a majority of U.N. Member States (108) restrict access to abortion.¹⁶ This includes through prohibiting abortion altogether, permitting it only when the mother’s life is at risk, and preserving the mother’s physical or mental health.¹⁷ In fact only sixty-nine U.N.

⁸ *Status of Ratification Interactive Dashboard*, OHCHR, <https://indicators.ohchr.org/> (last visited Oct. 9, 2024).

⁹ International Covenant on Civil and Political Rights art. 6, *adopted* Dec. 16, 1966, 999 U.N.T.S. 171, <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights> [hereinafter ICCPR].

¹⁰ Fabiola Sánchez & Megan Janetsky, *Mexico Decriminalizes Abortion, Extending Latin American Trend of Widening Access to Procedure*, AP (Sep. 6, 2023), <https://apnews.com/article/mexico-abortion-decriminalize-d87f6eddbdf68c2e6c8f5700b3afd15de>.

¹¹ *Abortion in Latin America and the Caribbean*, THE GUTTMACHER INSTITUTE (Mar. 2018), <https://www.guttmacher.org/fact-sheet/abortion-latin-america-and-caribbean>.

¹² *Id.*

¹³ *Grenada Signs Samoa Agreement*, LOOP NEWS (Nov. 24, 2024), <https://caribbean.loopnews.com/content/grenada-signs-samoa-agreement>.

¹⁴ *Neo-Colonialism Crippling African, Caribbean, and Pacific States: The Samoa Agreement*, HUMAN LIFE INTERNATIONAL (July 9, 2024), <https://www.hli.org/2023/12/neo-colonialism-and-the-samoa-agreement/>.

¹⁵ *Grenada Says it Will Not be Rushed Into Signing Samoa Agreement*, JAMAICA OBSERVER (Nov. 24, 2023), <https://www.jamaicaobserver.com/2023/11/24/grenada-says-it-will-not-be-rushed-into-signing-samoa-agreement/>.

¹⁶ *The Worlds Abortion Laws*, CTR. FOR REPRODUCTIVE RTS., https://reproductiverights.org/wp-content/uploads/2023/12/WALM_2023-v3-Updated_12-20-23.pdf (last visited Oct. 9, 2024).

¹⁷ *Id.*

Member States permit abortion on demand with varying gestational limits.¹⁸ Even in these situations forty-nine of them have gestational limits of twelve weeks or less.¹⁹

10. It is indisputable that a preborn baby is a unique and distinct biological organism that is alive and is human. Therefore, any justification for permitting abortion rests on the idea that some humans should be denied the most basic of all human rights, the right to life. This right has been enshrined in numerous international human rights documents. The United Nations Charter, for instance, states that “the peoples of the United Nations [are] determined . . . to reaffirm faith in fundamental human rights, in the dignity and worth of the human person”²⁰ The dignity and worth of a human being should not be taken away by arbitrarily taking an innocent life. Further, the UDHR requires “recognition of the inherent dignity and of the equal and inalienable rights of *all* members of the human family [as] the foundation of freedom, justice and peace in the world,” and provides that “[e]veryone has the right to life”²¹ Likewise, Article 6 of the ICCPR states that “[e]very human being has the inherent right to life. This right shall be protected by law.”²²

11 While there is clearly no right to an abortion, Grenada is obligated to protect its citizens from harm. Ironically, many proponents of abortion label this procedure as “healthcare” when it has been proven to harm pregnant women. Nothing that takes the life of an innocent, healthy human or causes harm, and even death, to the pregnant woman can be called healthcare. Abortion has been documented to result in physical and psychological harm to the mother. Complications related to abortions account for 9.9% of maternal deaths in the Latin American and Caribbean region, where Grenada is located.²³ Further, a study conducted across seven countries in Latin America and the Caribbean found that women who had undergone abortions had complications, and some of these were even life threatening.²⁴ The study looked at data from 7,983 women who had abortion related complications and found that 49.5% of them had moderate complications (heavy bleeding, suspected intra-abdominal injury, or infection), 3.1% had life threatening complications (severe hemorrhage, severe systemic infection or suspected uterine perforation), and 0.2% of the women died as a result of complications.²⁵ Women who have abortions also report experiencing negative psychological side effects, ranging from shame to drug abuse to suicidal thoughts.²⁶ These harmful effects show why it is imperative that Grenada continues to uphold its obligations under the 1994 Cairo Conference on

¹⁸ *Id.*

¹⁹ *Id.*

²⁰ U.N. Charter preamble <https://www.un.org/en/about-us/un-charter/preamble> (last visited Oct. 9, 2024)

²¹ G.A. Res. 217 (III), A Universal Declaration of Human Rights, preamble, art. 3 (Dec. 10, 1948)(emphasis added), <https://www.ohchr.org/en/human-rights/universal-declaration/translations/english>.

²² ICCPR art. 6, *supra* note 9.

²³ Mariana Romero, *Abortion-Related Morbidity in Six Latin American and Caribbean Countries: Findings of the WHO/HRP Multi-Country Survey on Abortion (MCS-A)*, BMJ GLOBAL HEALTH (2021), <https://pubmed.ncbi.nlm.nih.gov/34417270/> (last visited Oct. 9, 2024)

²⁴ *Id.*

²⁵ *Id.*

²⁶ See, e.g., Priscilla K. Coleman et al., *Women Who Suffered Emotionally from Abortion: A Qualitative Synthesis of Their Experiences*, 22 J. OF AM. PHYSICIANS & SURGEONS 113, 116-117 (2017), <https://www.jpands.org/vol22no4/coleman.pdf>.

Population and Development to “reduce the recourse to abortion”²⁷ and “help women avoid abortion.”²⁸

12. All of the reasons discussed above show why Grenada is justified in restricting abortion. Grenada has shown that it committed to protecting the fundamental right to life.

Recommendation

13. We commend Grenada’s efforts to protect life at all stages. Grenada will undoubtedly continue to face pressure to expand access to abortion, but we want to encourage Grenada to resist such efforts, just as it has done in the past. Additionally, we want to remind Grenada that it is not alone in protecting the life of preborn babies, as a majority of U.N. Member States have taken a similar stance to protect human life by implementing strict limitations on abortion.

²⁷ International Conference on Population and Development, *Report of the International Conference on Population and Development*, ¶ 8.25, U.N. Doc. A/CONF/F.171/13/Rev. 1, https://www.un.org/development/desa/pd/sites/www.un.org.development.desa.pd/files/a_conf.171_13_rev.1.pdf . (last visited Oct. 9, 2024).

²⁸ *Id.*