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促进和保护所有人权——公民权利、政治权利、  
经济、社会及文化权利，包括发展权

对圣文森特和格林纳丁斯的访问

与享有安全、清洁、健康和可持续环境有关的人权义务问题特别报告  
员戴维·博伊德的报告\* \*\*

概要

与享有安全、清洁、健康和可持续环境有关的人权义务问题特别报告员戴维·博伊德应圣文森特和格林纳丁斯政府邀请，于2021年11月25日至12月2日访问了圣文森特和格林纳丁斯。访问的目的是审查圣文森特和格林纳丁斯在环境保护方面履行人权义务的情况，确定良好做法，并讨论该国面临的环境挑战。

\* 报告概要以所有正式语文分发。报告正文附于概要之后，仅以提交语文分发。

\*\* 本报告在截止日期之后提交，以反映最新情况。



## Annex

### Report of the Special Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment on his visit to Saint Vincent and the Grenadines

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## I. Introduction

“In all the world of living things it is doubtful whether there is a more delicately balanced relationship than that of island life to its environment” Rachel Carson, *The Sea Around Us*, 1951.

1. Saint Vincent and the Grenadines is a breathtakingly beautiful country, but it has been confronted by a series of overlapping catastrophes in recent years including not only the coronavirus disease (COVID-19) pandemic, but also a major volcanic eruption, hurricanes, severe floods and droughts, all exacerbated by the growing impacts of the global climate crisis. Despite these daunting challenges, the Special Rapporteur was impressed by the friendliness and resilience of everyone he encountered.

2. This was the first official country visit made by the Special Rapporteur since the Human Rights Council adopted a historic resolution on 8 October 2021, recognizing the human right to a clean, healthy and sustainable environment.<sup>1</sup> The Special Rapporteur is keenly interested in the implementation of this right and his visit provided an opportunity to consider how it can be fulfilled at the national level.

3. This was also the first visit to Saint Vincent and the Grenadines in almost 10 years by a Human Rights Council special procedure mandate holder. Based on the positive experiences of this visit, it is the Special Rapporteur’s hope that it will open the door for other United Nations independent experts, representing other spheres of human rights, to carry out similar missions. Future visits could enhance the relationship between the Government of Saint Vincent and the Grenadines, and the mechanisms established by the Human Rights Council.

4. During his visit, the Special Rapporteur met with a wide range of people, including the Prime Minister, government ministers and officials from nine ministries (including the Ministry of Foreign Affairs, the Ministry of Tourism, Civil Aviation, Sustainable Development and Culture, the Ministry of Agriculture, the Ministry of National Mobilization, the Ministry of Education and the Ministry of Health, Wellness and the Environment). He also met with representatives of the Central Water and Sewerage Authority, the Chief Executive Officer of St. Vincent Electricity Services Limited (the State-owned electricity company), representatives of 10 United Nations agencies, members of civil society organizations, community leaders and concerned citizens. He also had a meeting with a wonderful group of youth studying agriculture and environmental sciences at a community college in Kingstown. The Special Rapporteur also received inputs from the executive director of the Caribbean Disaster Emergency Management Agency, based in Barbados.

5. While in Saint Vincent and the Grenadines, the Special Rapporteur travelled to the red zone around La Soufrière volcano, witnessing the extensive destruction<sup>2</sup> and meeting with community leaders and evacuees in Sandy Bay and Fancy on the north windward side of the island. He also visited the Lowmans Bay Power Plant, the Diamond Landfill, the Maderia Valley Forest Park, the Botanical Gardens and the Belmont Nature Trail as well as the site of a future Sandals Resort. The Special Rapporteur also took a ferry to the island of Bequia, visiting Paget Farm, the local landfill, an emergency shelter under construction, an ongoing project to reduce the risk of dengue fever and the waterfront Belmont walkway rebuilt by Action Bequia, a local organization.

6. The Special Rapporteur would like to thank the Government of Saint Vincent and the Grenadines for its invitation and cooperation throughout the visit. He is grateful to the Ambassador of Saint Vincent and the Grenadines to the United Nations, the United Nations Resident Coordinator’s office in Barbados, the Ministry of Foreign Affairs and the United Nations Country Coordination Officer for their valuable assistance in arranging his visit. The Special Rapporteur also appreciates the support of the Office of the United Nations High

<sup>1</sup> Resolution 48/13.

<sup>2</sup> He was particularly struck by the volume of ash and rock still covering the landscape seven months after the eruption, as well as the many lahars, which are a mix of water, ash and rock that can flow down the slope of a volcano like raging rivers of wet concrete.

Commissioner for Human Rights, including the Regional Coordinator for the English-speaking Caribbean.

## **II. Legal and policy framework**

### **A. International law and policy**

7. The Special Rapporteur would like to commend Saint Vincent and the Grenadines for having ratified all the major global human rights treaties, including the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights. Environmental protection is essential to fulfilling many of the rights recognized in these agreements, including the rights to life, health, and food. Of critical importance is protecting the rights of those who may be most vulnerable to environmental harms and climate change, including women, children and persons with disabilities. The country is also a party to other key human rights treaties, including the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of the Child, and the Convention on the Rights of Persons with Disabilities, that call upon States parties to ensure protection for those vulnerable populations.

8. Some optional protocols should still be ratified, such as the Optional Protocol to the Convention on the Rights of the Child on a communications procedure and the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights. It would be ideal from a human rights perspective if Saint Vincent and the Grenadines also joined the inter-American human rights system, by becoming a party to the American Convention on Human Rights and the Additional Protocol to the Convention in the Area of Economic, Social and Cultural Rights. The Special Rapporteur reiterates the recommendation made previously by United Nations agencies that the country should establish an independent national human rights institution, in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles), a recommendation made during cycles of the universal periodic review in 2011, 2016 and 2021.

9. Saint Vincent and the Grenadines deserves praise for being one of the first States to ratify the landmark Regional Agreement on Access to Information, Public Participation and Access to Justice in Environmental Matters in Latin America and the Caribbean (Escazú Agreement).<sup>3</sup> The Agreement commits States to respect, protect and fulfil the right to a clean, healthy and sustainable environment for current and future generations. That requires clean air, safe and sufficient water, adequate sanitation, healthy and sustainable food, a safe climate, healthy biodiversity and ecosystems and non-toxic environments where people can live, work, study and play.

10. Saint Vincent and the Grenadines is a party to all the major environmental treaties, including the United Nations Framework Convention on Climate Change, the Convention on Biological Diversity, the United Nations Convention to Combat Desertification, the Montreal Protocol on Substances that Deplete the Ozone Layer, the Stockholm Convention on Persistent Organic Pollutants, the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade and the Convention on International Trade in Endangered Species of Wild Fauna and Flora, as well as regional agreements, including the Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region.

11. Saint Vincent and the Grenadines is also engaged in numerous regional environmental initiatives through the Organisation of Eastern Caribbean States (OECS), the Caribbean Community (CARICOM) and the Forum of Ministers of the Environment of Latin America and the Caribbean. From a human rights perspective, the Special Rapporteur would like to

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<sup>3</sup> The Agreement was ratified by Saint Vincent and the Grenadines on 26 September 2019 and came into force on 21 April 2021.

highlight the project on enabling a gender-responsive disaster recovery, climate and environmental resilience in the Caribbean.<sup>4</sup>

## B. Economy and political structure

12. Saint Vincent and the Grenadines is an archipelagic nation comprised of Saint Vincent, the main island, and the Grenadines, a chain of small islands and cays, of which only a handful are inhabited. It has a population of approximately 110,000, a situation that has its advantages as it offers the Government and its institutions the possibility of maintaining close links with the people. The land area is among the smallest in the world at approximately 390 km<sup>2</sup>, while the marine area is 90 times larger (36,000 km<sup>2</sup>).

13. The country is a constitutional monarchy within the Commonwealth of Nations, having gained independence from the United Kingdom of Great Britain and Northern Ireland in 1979. Elections are held every five years and the Prime Minister, Ralph Gonsalves, has been in office since 2001. The Constitution guarantees a list of civil and political human rights, including freedom of conscience (art. 9), freedom of expression (art. 10), freedom of assembly and association (art. 11), freedom of movement (art. 12) and protection against discrimination (art. 13). Missing, however, are economic, social, cultural and environmental rights.

14. Prior to the COVID-19 pandemic, the tourism industry had become an increasingly significant driver of the economy and source of employment, overtaking the agricultural sector. An important development was the opening of Argyle International Airport in 2017. Kingstown has a deep-water port and a cruise ship berth. Life expectancy in Saint Vincent and the Grenadines was 72.5 years in 2019. On the Human Development Index, which integrates measures related to life expectancy, education and per capita income, the country ranked 92nd in 2018, placing it in the high human development category.<sup>5</sup> The percentage of the population living in poverty has declined substantially since the 1990s.

15. In 2019, gross domestic product (GDP) was US\$ 825 million,<sup>6</sup> double that of 2000. The economy is dominated by the services industry, followed by agriculture and light industry. The main exports are agricultural products, while the main imports are petroleum products, machinery and motor vehicles. The number of tourists doubled between 2012 and 2019 to almost 400,000 per year. The growth in tourism created economic growth and employment, while generating almost 30 per cent of gross national product, but also caused an increase in environmental pressures.

16. The COVID-19 pandemic and the ensuing collapse of tourism have had a dramatic impact on the economic health of small island States such as Saint Vincent and the Grenadines. The final three quarters of 2020 saw a 92 per cent decline in air arrivals and a 90 per cent drop in yacht passengers. The impacts of the pandemic were then multiplied by the eruption of La Soufrière volcano on 9 April 2021, which forced the evacuation of more than 20,000 people. Remarkably, no one died – a testament to excellent emergency planning, although 100 or so people were still living in shelters at the time of the Special Rapporteur's visit. The eruption caused disruption to the water supply and shortages for some people, interruptions of the power supply, loss of livelihoods and food insecurity, partially through the loss of backyard gardens. Data indicate that women suffered a disproportionate loss of income relative to their male counterparts as a result of the eruption. The total costs were estimated at EC\$ 634 million. To its credit, the Government established a contingencies fund in 2017, financed by a levy on visitor accommodation and a consumption tax, to address natural disasters and national emergencies. However, the multiple shocks of recent years have depleted the Government's already limited financial resources, increased the debt load to 87 per cent of GDP in 2020 and understandably delayed numerous initiatives related to climate change and the environment.

<sup>4</sup> See <https://www.bb.undp.org/content/barbados/en/home/engender.html>.

<sup>5</sup> United Nations Development Programme, *Human Development Index* (2020).

<sup>6</sup> See <https://data.worldbank.org/country/VC>.

### C. Laws, policies and institutions

17. It is not widely known that one of the first environmental laws in the world was passed by Saint Vincent and the Grenadines. The King's Hill Forest Act of 1791 created the second forest reserve in the world, to prevent deforestation and to "attract the clouds and rain" so that agriculture could flourish.<sup>7</sup> The law provided for a substantial fine of £150 for clearing, planting or cultivating any crop on forest reserve land.

18. Of course there are many more recent laws in Saint Vincent and the Grenadines that relate to environmental protection, including the Agriculture Act, 1951, the Pesticide Control Act, 1973, the Town and Country Planning Act, 1976, the Beach Protection Act, 1981, the Fisheries Act, 1986, the Wildlife Protection Act, 1987, the Central Water and Sewerage Authority Act, 1991, the Environmental Health Services Act, 1991, the Environmental Levy Act, 1991, the Forest Resource Conservation Act, 1992, the Marine Parks Act, 1997, the Waste Management Act, 2000, the National Parks Act, 2002, the Standards Act, 2005, the Geothermal Resources Development Act, 2015 and the Marine Pollution Prevention Act, 2019.

19. In recent years, Saint Vincent and the Grenadines has created a plethora of new environmental policies, including the national economic and social development plan (2013–2025), the chemical management policy (2013), the comprehensive disaster management policy (2014), the food and nutrition security policy and action plan (2014), the national biodiversity strategy and action plan (2015), the first nationally determined contribution under the Paris Agreement to reduce greenhouse gas emissions by 22 per cent below its business-as-usual scenario by 2025 (2015), the national climate change policy (2019), the national adaptation plan (2019) and the national implementation plan for the Stockholm Convention on Persistent Organic Pollutants (2015). The national economic and social development plan (2013) identifies "improving physical infrastructure, preserving the environment and building resilience to climate change" as one of five strategic goals for the nation. One of the objectives under this goal is "to ensure a clean, safe and healthy environment".

20. However, the Constitution of Saint Vincent and the Grenadines is silent on matters related to the environment. In 2009, an unsuccessful referendum was conducted on a new constitution, which contained the following draft provision: "This Constitution enjoins the organs of the State, other public authorities and the people to protect and enhance the environment." Neither environmental legislation nor human rights legislation refers to the right to a clean, healthy and sustainable environment. That is a gap that needs to be addressed in order to fulfil the commitment made as a result of ratifying the Escazú Agreement: "Each Party shall guarantee the right of every person to live in a healthy environment ..." (art. 4.1).

21. A 2006 revision to St. George's Declaration of Principles for Environmental Sustainability in the OECS of 1999, noted the need for "urgent attention to establishing effective structures for stakeholder collaboration at every level from the local to the regional, creating the institutional and legal frameworks required for effective environmental management, and building the capacity of Member States to monitor environmental impacts and trends in the status of natural resources and ecosystems".<sup>8</sup>

22. Both government and civil society representatives with whom the Special Rapporteur spoke acknowledged that some environmental laws and regulations would benefit from being updated. There was also agreement that the biggest challenge was implementation, in part due to inadequate financial and human resources. For example, the Sustainable Development Unit of the Ministry of Tourism, Civil Aviation, Sustainable Development and Culture has only five employees. The Special Rapporteur recommends that the Government carry out a

<sup>7</sup> See Richard H. Grove, "The culture of islands and the history of environmental concern", Harvard seminar on environmental values, 18 April 2000.

<sup>8</sup> Available from <https://oecs.org/en/our-work/knowledge/library/social-development/st-george-s-declaration>.

review of environmental legislation to identify where new or amended legislation and/or regulations are needed to be consistent with the Escazú Agreement.<sup>9</sup>

### III. Climate crisis

23. The world is embroiled in an escalating climate emergency, which is violating human rights across the planet today and threatening to do so on a vast scale in the years ahead. Saint Vincent and the Grenadines, along with other small island States in the Caribbean and across the world, is acutely vulnerable to the adverse impacts of climate change, including rising sea levels, storm surges, hotter temperatures, changes in precipitation patterns and the increasing intensity of extreme weather events such as hurricanes. In Saint Vincent and the Grenadines, 80 per cent of the population, infrastructure and economic activity are located at less than 8m above sea level, namely the red zone of vulnerability to storm surges and rising sea levels that cause erosion and damage. As noted by the Working Group of Experts on Persons of African Descent in a recent report: “The persistent failure to take sufficiently ambitious action to reduce greenhouse gas emissions and thereby mitigate climate change has the heaviest impact on States and communities that have been subject to historic exploitation, discrimination and marginalization.”<sup>10</sup> The climate crisis is not only multiplying risks, especially for climate-vulnerable nations, but is also exacerbating inequalities.

24. Small island States have been among the world’s most outspoken voices in calling for urgent action to address the damage that climate change is inflicting on human health, human rights and well-being. As noted by the Government in its recent report to the universal periodic review: “In the absence of appropriate measures, including financial support pledged by major emitters for climate adaptation and mitigation, climate change threatens to increase people’s vulnerability to poverty and social deprivation, and could ultimately impact their enjoyment of certain human rights.”<sup>11</sup>

25. During his visit, the Special Rapporteur heard about and witnessed the extensive damage inflicted on Saint Vincent and the Grenadines by flooding, droughts, landslides, rising sea levels, saltwater intrusion and ecosystem changes, leading to massive blooms of noxious sargassum seaweed and the bleaching of coral reefs. There has also been an increase in vector-borne diseases, including dengue fever. These climate change-related impacts are wreaking havoc on farms, forests, fisheries, housing, infrastructure and communities, and in doing so are violating the rights to life, health, food, water, housing, cultural rights and a clean, healthy and sustainable environment. In the words of the Prime Minister in a speech to the General Assembly in 2018: “Beyond the headlines, the story of climate change is grimly told in daily experiences of floods, droughts, landslides, coastal erosions, lost lives and livelihoods across our region.”

26. In 2010, Hurricane Tomas destroyed livestock and crops, damaged infrastructure, including roads and the water and electricity systems, caused significant ecological damage and EC\$ 165 million (approximately US\$ 59 million) in economic costs. Torrential rain in December 2013 caused 13 deaths, directly affected 10,000 people and cost EC\$ 135 million (US\$ 50 million). Intense rainfall in November 2016 caused floods, erosion and landslides, and cost EC\$ 98 million (US\$ 36 million). A huge influx of sargassum seaweed in 2018 blanketed beaches, harming fisheries, disrupting tourism and threatening people’s health.<sup>12</sup> Severe droughts occurred in 2009–2010, 2014 and 2020, causing water rationing and disrupting agriculture.<sup>13</sup> In 2020, farmers suffered EC\$ 16 million in losses as a result of the

<sup>9</sup> For guidance, see <https://accessinitiative.org/resources/escazu-legal-and-policy-assessment-tool>.

<sup>10</sup> A/HRC/48/78, para. 58.

<sup>11</sup> A/HRC/WG.6/39/VCT/1, para. 28.

<sup>12</sup> Sargassum represents an environmental and economic disaster as well as a threat to human health. After 48 hours on the seashore, large amounts of toxic gases such as hydrogen sulphide and ammonia are produced by the decomposition of the seaweed. See Dabor Resiere and others, “Sargassum seaweed on Caribbean islands: an international public health concern”, *The Lancet*, vol. 392, No. 10165 (December 2018).

<sup>13</sup> See Searchlight, “CWSA extends water rationing to help negate worst drought in years”, 29 May 2020.

drought. The estimated total loss and damage to the country from these climate-related events over the period 2010–2019 was in excess of US\$ 1 billion and then Hurricane Elsa lashed the country in 2021, immediately after the eruption of La Soufrière. In a compelling book about the multiple challenges faced by small island States, the Minister of Finance, Economic Planning and Information Technology observed that “the every-other-year drumbeat of seemingly minor storms, floods and droughts has caused loss and damage averaging 10 per cent of GDP per event over the past decade”.<sup>14</sup>

27. The concatenation of climate-related catastrophes has had major impacts on every aspect of people’s lives in Saint Vincent and the Grenadines. Food production has been severely affected by hurricanes, ash from the volcanic eruption and the changing precipitation patterns that cause extreme rainfall events and droughts. According to the Government, at least 30–40 per cent of the agricultural sector that supplies food to the general population lies within the red and orange volcano danger zones (areas at very high risk of being directly affected by volcanic hazards).<sup>15</sup>

28. Several people connected the rising volumes of sargassum seaweed with declining catches of sprats, a culturally valued fish. The decline in both commercial and subsistence agriculture causes a shift towards more expensive, often highly processed imported foods, with negative health consequences, including obesity and diabetes.<sup>16</sup>

29. As noted by the Committee on the Elimination of Discrimination against Women, rural women are particularly vulnerable to the effects of climate-related natural disasters.<sup>17</sup> For example, unemployment among women in Saint Vincent and the Grenadines was projected to increase to between 27 per cent and 38 per cent in 2021. Thus, it is important to ensure the participation of women, especially rural women, in the design and implementation of policies and programmes intended to prepare for, reduce the risks of and recover from climate-related and natural disasters.<sup>18</sup> Another vulnerable group is that of the Garifuna indigenous people, many of whom live in coastal communities in the red zone around La Soufrière.

30. Children and youth are also at risk, with the climate crisis causing them to miss school, contributing to high levels of stress and anxiety and putting them – especially girls – at risk of violence in disaster situations. The CARICOM Commission on Youth urged governments to overcome the “lack of awareness and education with regard to environmental issues, in particular the effects of climate change”.<sup>19</sup> Education is a prerequisite to engaging young people in conversations and decision-making related to climate action.

31. To protect the human rights of the people of Saint Vincent and the Grenadines from the ravages of the climate crisis requires action by all States, but especially those who historically have been and/or are currently major contributors to climate change. Large emitters need to rapidly reduce greenhouse gas emissions, stop deforestation and decrease livestock production in order to avoid catastrophic climate change. Wealthy countries must immediately fulfil their overdue commitment to provide at least US\$ 100 billion annually to assist climate-vulnerable States, such as Saint Vincent and the Grenadines, in coping with the impacts of a problem that they did little to create (carbon dioxide emissions are below 2 tonnes per capita). Wealthy States must also end their inexcusable decades-long delay in making funds available to compensate climate-vulnerable States for the loss and damage caused by climate change.

<sup>14</sup> Camillo M. Gonsalves, *Globalised, Climatised, Stigmatised* (Kingstown, Strategy Forum Inc. 2019).

<sup>15</sup> See <https://www.greenclimate.fund/countries/saint-vincent-grenadines#documents>.

<sup>16</sup> See <https://globalnutritionreport.org/resources/nutrition-profiles/latin-america-and-caribbean/caribbean/saint-vincent-and-grenadines/>.

<sup>17</sup> See general recommendation No. 37 (2018).

<sup>18</sup> CEDAW/C/VCT/CO/4-8, para. 41 (c).

<sup>19</sup> United Nations Children’s Fund (UNICEF), *Caribbean Children Facing the Climate Crisis* (November 2019).



## IV. Fulfilling the right to a clean, healthy and sustainable environment

32. The 2020 environmental performance index published by Yale and Columbia Universities ranks Saint Vincent and the Grenadines 64th out of 180 nations. According to that study, areas of strong performance include solid waste management, fisheries, ecosystem services and greenhouse gas emissions. Areas that need improvement include biodiversity and habitat protection, heavy metals and the availability of water.

33. The World Health Organization (WHO) estimates that environmental risk factors, such as air pollution and water contamination, contribute to 140 deaths per year in Saint Vincent and the Grenadines, or approximately 15 per cent of total deaths.<sup>20</sup> That compares favourably with most other countries, but those premature deaths could be prevented with stronger environmental laws and policies accompanied by better implementation and enforcement.

34. Rapid urbanization is leading to increased demand for housing, infrastructure and public services. The need for a comprehensive, coordinated and strategic regional and urban planning process is being addressed by the development of a national physical development plan. Of particular concern from the perspective of environmental risks and human rights are urban sprawl, threats to air quality and an inadequate wastewater treatment infrastructure.

35. The right to a clean, healthy and sustainable environment has both procedural and substantive elements. The procedural elements include the rights of access to environmental information, to public participation in environmental assessments and decision-making, and to justice and adequate remedies in cases where the right to a healthy environment is being threatened or violated. The substantive elements include a safe climate, clean air, safe and sufficient water and adequate sanitation, healthy and sustainably produced food, non-toxic environments in which to live, work, study and play, and healthy biodiversity and ecosystems.

36. While the full enjoyment of human rights depends upon a healthy environment, the exercise of human rights helps to ensure the protection of the environment. The free and full exercise of rights related to information, participation and access to justice enable people to ensure that environmental policy is fair and effective. States must pay attention to historical or persistent prejudice, recognize that environmental harm can result from and reinforce existing patterns of discrimination, and take measures against the conditions that cause or perpetuate discrimination. States should take measures to protect those who are at particular risk of environmental harm.

### A. Climate change mitigation and adaptation

37. Saint Vincent and the Grenadines is implementing mitigation and adaptation actions domestically, pursuant to its national climate change policy, national climate strategy and implementation plan, and national adaptation plan. As the Minister of Finance, Economic Planning and Information Technology noted in the most recent budget: “While we must continue our global advocacy for a future below 1.5°C and while we must do our part to reduce our already miniscule emissions, we must also prepare as best we can for the likelihood that the world may become hotter and more dangerous than we can comfortably bear.” The six areas identified as mitigation priorities are energy, forests and carbon sinks, maritime affairs, tourism, transport and waste management. The national adaptation plan aims to mainstream climate change adaptation into planning and budgeting across all economic sectors and both the public and private sectors. Adaptation priorities include agriculture, fisheries, resilient infrastructure, human health, education and a reliable water supply.

<sup>20</sup> World Health Organization, “Country profile of environmental burden of disease: Saint Vincent and the Grenadines” (2009).

38. Examples of actions taken include investments in coastal and river protection initiatives, a climate-resilient infrastructure and solar energy and an ongoing effort to tap into the abundant geothermal energy of Saint Vincent. The 2021 budget contained almost EC\$ 60 million in expenditure on climate change mitigation, adaptation and clean energy. The Government should implement the various climate change-related recommendations made in the course of the recently completed universal periodic review.<sup>21</sup>

39. Approximately 80 per cent of the electricity on Saint Vincent and the Grenadines is generated by two power plants that burn diesel, 18 per cent is generated from three run-of-the-river hydroelectric projects and 2 per cent from solar installations. The Special Rapporteur visited the Lowman's Hill Power Plant, which appears to be well designed, well maintained and prioritizes spill prevention. However, burning fossil fuels is unsustainable and expensive at US\$ 0.30–0.35 per kilowatt hour. The high level of dependence on diesel for electricity generation also creates economic vulnerability because of the instability of oil prices. For the country to shift to renewables, combining solar, wind, hydro and possibly geothermal energy, would generate environmental benefits and lower electricity prices. Installed solar capacity more than quadrupled between 2016 and 2020.<sup>22</sup> An impressive project is a 600kW solar facility with a 637kWh lithium-ion battery backup on Union Island in the Grenadines, which was financed by the United Arab Emirates.

40. Deforestation not only contributes to climate change but can affect hydroelectric production because rainfall runs off the land too quickly. Saint Vincent and the Grenadines is fortunate to have extensive forested landscapes, but a large area was badly damaged by the eruption of La Soufrière. Climate finance should be available to assist with the reforestation effort.

41. The Special Rapporteur noted that a large number of buildings use heat pumps for cooling purposes, a wise choice given their substantial efficiency advantage over conventional air conditioning systems. Electricity use is low at 1,279 kWh per capita per year (compared to 3,316 kWh per capita per year for the global average).<sup>23</sup>

42. Among the adaptation projects for which Saint Vincent and the Grenadines has received international support are the project on coastal protection for climate change adaptation for small island States in the Caribbean, funded by Germany, the Japan-Caribbean climate change partnership project and the climate change adaptation programme. However, international climate and disaster risk reduction finance are not keeping pace with climate adaptation needs and the countries with the very highest risk and lowest adaptive capacities, such as Saint Vincent and the Grenadines, are not being prioritized.<sup>24</sup> In fact, less than US\$ 1 per person was made available for climate adaptation funding in countries with a high degree of vulnerability.

43. Another problem is that some small island States are ineligible for certain types of climate finance and debt relief initiatives because of relatively high levels of per capita GDP.<sup>25</sup> As noted by the Independent Expert on the effects of foreign debt and other related international financial obligations of States on the full enjoyment of all human rights, particularly economic, social and cultural rights: "The ability of States to respond is deeply unequal, leading to a diverse range of negative impacts on economic and social development and on the full enjoyment of all human rights. This is particularly concerning in low-income countries, small island developing States and middle-income countries, which have been excluded from initial debt service relief. The pandemic has revealed the starkest dilemma: the choice between servicing creditors or protecting human rights, notably the rights to life, health, food, education and social security."<sup>26</sup> The Minister of Finance, Economic Planning

<sup>21</sup> See [A/HRC/49/10](#).

<sup>22</sup> Statistical Office, Ministry of Finance, Economic Planning and Information Technology, "Compendium of environmental statistics 2020".

<sup>23</sup> See <https://ourworldindata.org/grapher/per-capita-electricity-consumption?tab=table>.

<sup>24</sup> International Federation of Red Cross and Red Crescent Societies, *World Disasters Report 2020: Come Heat or High Water* (2021), p. 11.

<sup>25</sup> See Frances Fuller and others, "Debt for climate swaps: Caribbean outlook", Climate Analytics (April 2018).

<sup>26</sup> [A/76/167](#), para. 1.

and Information Technology advocated forcefully for the use of a multidimensional vulnerability index to recognize the special circumstances and challenges faced by small island States and ensure access to climate finance and debt relief.<sup>27</sup> That concept is also being advanced by the Alliance of Small Island States and should be endorsed by the United Nations as a key step towards achieving climate justice.<sup>28</sup>

## **B. Safe, sufficient water and adequate sanitation**

44. Thanks to the efforts of the Central Water and Sewerage Authority, safe, clean water is accessible via piped service for 95 per cent of residents in Saint Vincent and the Grenadines, up from 93 per cent in 2000.<sup>29</sup> Some individuals expressed concerns that the water appears very muddy every time there is a major rainfall. Turbidity increases the risk of waterborne illness.

45. Several individuals expressed concerns to the Special Rapporteur about water services being cut off for poor households because of non-payment. That is not consistent with the Government's human rights obligations, including the obligation of non-discrimination. Poor water quality and limited water availability have disproportionate impacts on women because they are primarily responsible for cooking, cleaning, laundry and bathing young children, as well as caring for family members who are ill.

46. The security of the water supply is threatened by natural disasters and changes attributable to climate change, including droughts, that have led to water rationing and intense rainfall and storms that damage infrastructure. When rebuilding the water system infrastructure, extra time and expense has been invested in ensuring that it is climate-resilient and able to withstand future disasters.

47. Polluted water threatens both human and ecosystem health. There is one central sewage plant in Kingstown that discharges raw, untreated sewage into the ocean through an outfall pipe. Although government officials indicated that they were unaware of any negative environmental impacts caused by this approach, an independent study would be useful. Most other households use septic tanks, which can contaminate groundwater unless properly managed. An education and monitoring programme is warranted for those households.

48. There are some informal settlements in Saint Vincent and the Grenadines. These are areas that often lie on the outskirts of communities, have not been subject to zoning or planning and are particularly vulnerable to climate change. Housing quality is poor in such areas, increasing vulnerability to climate-related natural disasters and access to water and sanitation is limited, leading to pollution. The joint monitoring programme of the World Health Organization and the United Nations Children's Fund (UNICEF) estimates that 3 per cent of the population may still be relying on open defecation because of lack of access to toilet facilities.<sup>30</sup> The Government is attempting to assist residents living in these challenging situations.

49. The Special Rapporteur visited a community beside the port in Kingstown living in very rough conditions that is being relocated to superior housing in an area nearby. It is vital to ensure that the rights of local residents are respected in all relocation projects, through information, consultation and participation related to the decision-making process.<sup>31</sup>

50. On Bequia and other Grenadine islands, most water is provided by rainwater catchment and storage tanks. The increasing length of the dry season and the increasingly erratic rainfall are exacerbating water stress and scarcity. The Special Rapporteur received reports that people were unable to wash their hands for the recommended 20 seconds during the COVID-19 pandemic because of water shortages. Bequia does have one large desalination plant at Paget Farm (including a 70kW solar photovoltaic system), but this is an expensive solution that creates additional environmental challenges. Action Bequia, a civil

<sup>27</sup> Camillo M. Gonsalves, *Globalised, Climatised, Stigmatised*.

<sup>28</sup> See [A/74/943](#).

<sup>29</sup> See <https://washdata.org/data/household#!/>.

<sup>30</sup> *Ibid.*

<sup>31</sup> See [A/HRC/43/43](#).

society organization, is operating an excellent project to assist low-income residents to increase rainwater storage.

### **C. Clean air**

51. Air quality in Saint Vincent and the Grenadines is generally excellent, fulfilling people's right to breathe clean air. However, the Special Rapporteur has several important concerns. First, a number of people mentioned that rates of asthma were increasing. Second, the country has only recently established a pilot project for monitoring air quality, does not yet have air quality standards and does not have a daily air quality index that is easily accessible to the public (for example, as part of the daily weather report). Several people mentioned dangerously poor air quality caused by dust storms from the Sahara Desert crossing the Atlantic Ocean, which hit the country in both 2020 and 2021. The Government has issued public advisories in response to these threats. Third, populations living in close proximity to the main sources of air pollution, namely vehicle emissions on busy roads and emissions from the two power plants that burn fossil fuels, may suffer disproportionate exposure to air pollution. In both cases, the people suffering adverse impacts on their health and human rights because of air pollution are also likely to be living in poverty.

52. Globally, air pollution is the largest environmental risk factor for human health, contributing to 7 million premature deaths annually. According to State of Global Air 2020, air pollution causes approximately 66 premature deaths per year in Saint Vincent and the Grenadines.<sup>32</sup>

53. It should also be noted that black carbon (from diesel vehicles, power plants burning fossil fuels and open burning) is not only a harmful air pollutant but also a powerful greenhouse gas that contributes to climate change. Overall, reducing emissions from motor vehicles and the two power plants should be the top air quality priority for Saint Vincent and the Grenadines, as well as providing public alerts about poor air quality as part of the weather-forecasting service. Policies should encourage imports of newer vehicles and discourage or disallow the import of older vehicles and vehicles with diesel engines, as the latter generate more air pollution.

### **D. Solid waste management**

54. For small island States, solid waste management can be a major challenge. To its credit, the Government provides a weekly garbage collection service to all residents on Saint Vincent, as well as a semi-annual collection of white goods (fridges, dryers, etc.). The success of the solid waste management programme dates back to a smart policy decision made roughly 20 years ago, when the Government decided to place the department responsible within the Central Water and Sewage Authority. This streamlined the administration, but more importantly provided an easy way to bill customers on a monthly basis through a small levy on household water bills. This levy provides sustainable funding for the waste management programme.

55. The two main landfills on Saint Vincent were built 20 years ago as part of a regional solid waste management project funded by the World Bank, the European Union and the Caribbean Development Bank. The Special Rapporteur visited the Diamond Sanitary landfill on Saint Vincent. It appears to be a well-run facility, fenced off from the public and policed by security guards, with scrap metal separated for crushing, earth covering the garbage and compost being processed to be used as fertilizer. There was no foul odour or flies. Although no liner was used in the construction, leachate from the landfill is routed to a pond for natural treatment. The landfill on Bequia appears to be less well managed, with a foul odour, flies and open access to the public.

56. To begin addressing the problem of plastic pollution, there is a ban on styrofoam and several single-use plastic products. Since 2013, a public-private partnership involving All Islands Recycling Inc. and financed pursuant to the Environmental Levy Act of 1991 has

<sup>32</sup> See <https://www.stateofglobalair.org/data/#/health/plot>.

collected more than 42 million plastic bottles and aluminium tins for recycling. A deposit-refund policy alleviates poverty by supporting low-income individuals (60 per cent of whom are women), who collect empty containers. Prior to the volcanic eruption, 300 people earned between EC\$ 130 and EC\$ 1,100 monthly, but the number of people involved in collecting refundable items has since doubled. The plastic bottles are exported to a broker in the United States of America, but their ultimate destination is unknown. There is also some recycling of cardboard, glass, scrap metal and batteries.

57. Saint Vincent and the Grenadines does not have a comprehensive collection system for potentially hazardous materials, including electronic waste, used motor oil, old paint, expired pharmaceutical products, medical waste, solvents, tyres and used gas canisters. It appears that the majority of used tyres are currently burned, which causes air pollution. The Special Rapporteur was informed by officials that new legislation for hazardous waste is under development and he encourages the Government to be guided by key principles, including prevention, precaution and “the polluter pays”. Another useful future priority would be to separate the collection of food waste and organic materials, which could increase the amount of compost for sale as fertilizer, reduce emissions of methane and extend the lifespan of the existing landfills. Organic materials currently comprise almost one third of the waste collected, ahead of plastics and paper/cardboard.<sup>33</sup>

58. While traveling in Saint Vincent and the Grenadines, the Special Rapporteur was pleased to see that the country’s natural beauty is mostly unblemished by littering and dumping of trash, with some minor exceptions along roads. While littering is subject to potentially strong penalties, there does not seem to be an active enforcement effort. Education and enforcement could be strengthened to prevent pollution and associated health risks.

59. Senior officials from the Fire Department reported concerns about perfluorooctane sulfonate (PFOS), a chemical found in firefighting foam. Known as a “forever chemical” because of its persistence in the environment, it is implicated in a range of serious impacts on human health, including cancer. To their credit, the Fire Department is seeking an environmentally-friendly alternative and a responsible way to dispose of the existing stock of foam.

60. Given the substantial costs involved in recycling and handling hazardous waste, a particularly promising approach is extended producer responsibility, which shifts the burden of collection from governments to the industries that produce or import packaging or products. Extended producer responsibility regulations have proven effective in other nations for plastic bottles and packaging, aluminium cans, metal, glass, batteries, newspapers, tyres, consumer electronics, white goods and motor vehicles. Kenya offers a relevant example in a developing country context.<sup>34</sup> Saint Vincent and the Grenadines should give serious consideration to this policy instrument as a priority in improving waste management, reducing government costs and moving towards a circular economy.

## **E. Healthy and sustainably produced food**

61. Agriculture in Saint Vincent and the Grenadines is vital to livelihoods and the economy but faces multiple challenges exacerbated by climate change, including rising temperatures, changes in precipitation patterns that are causing extreme rainfall events and extended droughts, and more intense hurricanes. The COVID-19 pandemic and the eruption of La Soufrière added to these challenges, although the volcanic ash is a valuable natural fertilizer. Other external factors are also influencing this sector, which is important to a large number of low-income residents. For example, banana production has declined by 90 per cent since 2005, due to an unfavourable decision of the World Trade Organization.

62. Fisheries are vital to fulfilling the right to food, and both subsistence and commercial fisheries contribute to the national economy. However, fisheries face multiple pressures,

<sup>33</sup> Statistical Office, Ministry of Finance, Economic Planning and Information Technology, *Compendium of Environmental Statistics 2020*.

<sup>34</sup> See Kenya, Environmental Management and Co-ordination (Extended Producer Responsibility) Regulations (2021).

including climate change, pollution, invasive species and overharvesting. Catches of kingfish (a type of mackerel) have declined, while catches of cavalli (a less valuable species) have increased.

63. Government is encouraging multicropping to increase both the income and resilience of farmers, with crops including coffee and cocoa beans. The Zero Hunger Trust Fund is an excellent initiative that provides nutritional and financial support to vulnerable children and older persons. The Love Box was an excellent programme, whereby the Government purchased food from farmers needing markets, then donated the food to families displaced for months by the volcanic eruption.

64. Farmers need support in order to shift to climate-smart agriculture, which involves a suite of innovative and effective approaches to land, soil and water management that sequester carbon and reduce greenhouse gas emissions. Climate-smart agriculture practices help to retain soil structure, organic matter and moisture under drier conditions and include agronomic techniques (including irrigation and drainage) to adjust or extend cropping calendars to adapt to seasonal and interannual climate shifts.<sup>35</sup>

65. Local food is generally healthier and has a smaller environmental footprint. The Government has negotiated an agreement with Sandals Resorts that will see the proposed resort purchase over 700,000 lbs of agricultural produce from local farmers annually, provided they can supply the produce in sufficient quantities and of the required quality.

## F. Toxic substances

66. Saint Vincent and the Grenadines has a strong programme, led by the National Ozone Unit of the Ministry of Health, Wellness and the Environment, to phase out ozone-depleting substances under the Montreal Protocol. The Government is in the process of ratifying the Kigali Amendment to the Protocol and should do so as soon as possible in order to accelerate the phase-out of hydrofluorocarbons (HFCs), which are powerful greenhouse gases.

67. The country participated in a project on the disposal of obsolete pesticides, including persistent organic pollutants, the promotion of alternatives and strengthening pesticide management in the Caribbean, led by the Food and Agriculture Organization of the United Nations (FAO). This resulted in over 3,000 kg of obsolete, dangerous pesticides being safely managed and exported for disposal. However, the Special Rapporteur has received information indicating that some pesticides classified as highly hazardous by WHO and FAO continue to be permitted. For example, oxamyl, paraquat and quinalphos appear on a list dated 2012.<sup>36</sup> He also heard an account of a person who committed suicide by drinking Gramoxone (paraquat). The Government should ban any further use of highly hazardous pesticides and collect any remaining inventory for safe disposal.<sup>37</sup>

68. Customs officials acknowledged that their ability to evaluate imports of chemicals was limited to reviewing the paperwork. Other officials acknowledged that information was not available for pesticide residues and other toxic substances in soil, water and marine environments due to a lack of monitoring capacity. Concerns were raised by individuals about the potential relationship between pesticide use and high levels of prostate cancer, an issue that has been the subject of extensive research in Martinique and Guadeloupe but not in Saint Vincent and the Grenadines.<sup>38</sup>

69. Two recent reports identified the following priorities to enable Saint Vincent and the Grenadines to safely manage the full range of toxic chemicals: legislative reform for chemicals and hazardous waste; assessment of the risks associated with hazardous

<sup>35</sup> See, for example, Food and Agriculture Organization of the United Nations, *Climate-Smart Agriculture Sourcebook*.

<sup>36</sup> See Pesticide Control Board, Ministry of Agriculture, "List of officially approved pesticides for use in Saint Vincent and the Grenadines" (2012).

<sup>37</sup> WHO and FAO, *Guidelines on Highly Hazardous Pesticides* (2015).

<sup>38</sup> Luc Multigner and others, "Chlordecone exposure and adverse effects in French West Indies populations", *Environmental Science and Pollution Research*, vol. 23, No. 1 (January 2016).

substances; chemical inventory and database development; strengthened institutions for chemicals management; additional personnel and training; and increased public awareness.<sup>39</sup>

## G. Healthy biodiversity and ecosystems

70. The Caribbean islands are classified as one of the world's 35 biodiversity hotspots.<sup>40</sup> Among the endangered species in Saint Vincent and the Grenadines are the critically endangered Grenadines clawed gecko and the Saint Vincent blacksnake, as well as two endemic bird species at high risk of extinction – the Saint Vincent Amazon parrot and the whistling warbler.<sup>41</sup> Two key approaches to protecting biodiversity are protected terrestrial and marine areas and protecting endangered species. While Saint Vincent and the Grenadines has both of these tools in place, the resources required for implementation and enforcement may need to be improved. A botanical garden was established on Saint Vincent in 1763, making it the first in the western hemisphere. Twenty-two wildlife reserves have been created in recent decades, including a large reserve of more than 10,000 acres for the Saint Vincent Amazon parrot.

71. As a party to the Convention on Biological Diversity, Saint Vincent and the Grenadines has committed to achieving the Aichi biodiversity targets for protected areas by 2020, including protecting at least 17 per cent of its land and 10 per cent of its marine area. The country has already protected 22.4 per cent of its land area,<sup>42</sup> which is above average and exceeds the Aichi target, but only 0.35 per cent of its marine area, which is well below average and fails to meet the Aichi target.

72. Other commendable actions taken by Saint Vincent and the Grenadines include a ban on sea turtle harvesting or egg-collecting, a ban on shark-finning, a ban on harvesting parrotfish and setting minimum and maximum sizes for lobster harvesting. Because of the devastation inflicted on forests in the northern part of Saint Vincent by the eruption of La Soufrière, the Ministry of Agriculture, Forestry and Fisheries announced a moratorium on the 2021–2022 hunting season for mammals, reptiles and birds. The Saint Vincent and the Grenadines Environment Fund is doing important conservation work and would benefit from additional support.

73. Tobago Cays Marine Park, encompassing some of the most spectacular and diverse coral reef ecosystems in the Grenadines, generated controversy when it was designated as a conservation area in 1987 under the Fisheries Act and then as a marine park in 1997 under the Marine Parks Act. To this day, it appears to be illegal for local communities, such as the fisherfolk of the island of Mayreau, to continue subsistence fishing within the protected area. However, fishing continues using a variety of nets and techniques. To its credit, the community has successfully diversified by creating a cooperative to pursue sea moss farming, using innovative vertical farming techniques.<sup>43</sup>

74. Fish populations in Saint Vincent and the Grenadines are threatened by overfishing, pollution, invasive species (such as the lionfish) and by the declining health of coral reef ecosystems, particularly the elkhorn and staghorn corals, key reef-building species in the Caribbean that are designated as “critically endangered” by the International Union for

<sup>39</sup> Government of St. Vincent and the Grenadines, *National Implementation Plan for the Stockholm Convention on Persistent Organic Pollutants* (2015). Basel Convention Regional Centre for Training and Technology Transfer for the Caribbean, “National chemical profile for chemicals management, St Vincent and the Grenadines” (2015).

<sup>40</sup> Critical Ecosystem Partnership Fund, “Caribbean islands biodiversity hotspot: ecosystem profile summary” (2019).

<sup>41</sup> IUCN, Red List of Threatened Species database, available from <https://www.iucnredlist.org>.

<sup>42</sup> World Bank, Protected Areas database, available at <https://data.worldbank.org/indicator/ER.LND.PTLD.ZS> (accessed on 18 March 2022).

<sup>43</sup> Brianna Pierre, “Case study on the Mayreau Explorers Cooperative: creating alternative livelihoods through vertical sea moss farming in the Tobago Cays Marine Park” (2019).

Conservation of Nature (IUCN). Fisheries landings doubled between 2016 and 2020, with conch landings growing 10 times during the same period.<sup>44</sup>

75. Saint Vincent and the Grenadines is home to many species of cetaceans, including humpback whales, sperm whales, pilot whales, bottlenose dolphins and spinner dolphins. Rather surprisingly, Bequia is home to one of the few indigenous subsistence whale hunts authorized by the International Whaling Commission. It is also home to four species of sea turtle including loggerhead, hawksbill, green and leatherback, all considered to be endangered or critically endangered.<sup>45</sup>

76. Mangrove ecosystems provide a natural source of coastal defence and many other benefits, from fish nurseries to carbon sequestration. It is well established that the protection of mangroves reduces the risk of death for coastal communities hit by severe storms.<sup>46</sup> There is a famous example of a preschool in the Grenadines that was saved by mangroves during Hurricane Ivan in 2004.<sup>47</sup> In some areas of Saint Vincent and the Grenadines, mangroves have been removed to make way for tourist resorts and other types of development. Wherever possible, the Special Rapporteur encourages the Government to protect and restore mangroves and explore nature-based solutions to prevent erosion.

77. Forests cover more than half the land area on Saint Vincent and are important for environmental, cultural and economic reasons. However, they are being affected by climate change, clearing for agriculture and urban expansion, and the volcanic eruption. There has not been a comprehensive forest inventory since 1993, so current rates of deforestation are not known. Protecting the remaining areas of native forests should be a conservation priority and will have the added benefit of protecting the water supply.

## H. Participation rights

78. Pursuant to the Escazú Agreement that came into force on 22 April 2021, everyone in Saint Vincent and the Grenadines has the right to information about environmental matters, the right to participate in environmental decision-making, the rights to freedom of expression and association on environmental matters, and the right of access to effective remedies for environmental harm. The free and full exercise of these rights enables people to ensure that environmental policy is fair and effective.

79. Government websites provide little detailed information related to environmental issues (climate change, environmental quality, environmental assessments, environmental legislation). That can inhibit public participation in environmental decision-making. There are large gaps in environmental data, from air quality to pesticide residues to populations of endangered species.<sup>48</sup> The Special Rapporteur encourages Saint Vincent and the Grenadines to consider creating an online registry that would make environmental information easily available to the public, including laws, regulations, policies, permit applications and decisions, pollution data and enforcement actions taken. Such a registry would be consistent with the Government's obligations under the Escazú Agreement (art. 5) and would make it easier to submit the many reports required under international environmental treaties. It may be worth considering a regional approach, as was done effectively and efficiently by 14 States in the South Pacific.<sup>49</sup>

80. Environmental impact assessments for proposed developments are required by the Town and Country Planning Act. The legislative provisions are very brief and the

<sup>44</sup> Statistical Office, Ministry of Finance, Economic Planning and Information Technology, 2020 *Compendium of Environmental Statistics*.

<sup>45</sup> See <https://www.iucnredlist.org>.

<sup>46</sup> Saudamini Das and Jeffrey R. Vincent, "Mangroves protected villages and reduced death toll during Indian super cyclone", *Proceedings of the National Academy of Sciences*, vol. 106, No. 18 (5 May 2009).

<sup>47</sup> Nature Conservancy, "Nature kept us safe", see <https://www.youtube.com/watch?v=73FpifZ9-CM>.

<sup>48</sup> See, for example, Diogo Andreola Serraglio, Stephen Adaawen and Benjamin Schraven, *Migration, Environment, Disaster and Climate Change Data in the Eastern Caribbean – Regional Overview*, (Berlin, International Organization for Migration, 2021).

<sup>49</sup> See <https://pacific-data.sprep.org/index.php/about>.



opportunities for public participation are not clear. Some citizens and civil society organizations expressed frustration at their inability to gain easy access to important information, the lack of consultation and the constraints on the ability of the public to participate. Officials indicated that the environmental impact assessment process is being updated. It is essential that the update be informed by, and consistent with, the requirements of the Escazú Agreement (especially article 7).

81. There do not appear to be any environmental cases being brought to the courts in Saint Vincent and the Grenadines, suggesting a need for increased enforcement of environmental laws, capacity-building in the legal profession and judicial education.<sup>50</sup>

## V. Conclusions and recommendations

82. Like many small island, big ocean States, Saint Vincent and the Grenadines faces a complex web of interconnected environmental challenges. The Special Rapporteur was impressed by the progress being made on many fronts, including water, solid waste management and adapting to climate change.

83. The global climate crisis is multiplying a number of environmental risks, forcing the Government to dedicate its limited resources to repairing, rebuilding and reconstructing instead of developing. Saint Vincent and the Grenadines represents a textbook example of global climate injustice. Despite its negligible contribution to the problem, this nation is suffering, and will continue to suffer, dramatic consequences with major human rights implications, especially with regard to vulnerable populations. While the present report focuses on a single nation, the future of all small island States depends on the willingness of wealthy States to fulfil their obligations to make rapid, systemic and transformative changes to address the climate emergency.<sup>51</sup>

84. Saint Vincent and the Grenadines is committed to achieving the Sustainable Development Goals. Human rights are at the heart of the Goals and should be directly integrated into all plans, policies, and programmes intended to progress towards the targets of the Goals. That is essential to ensure that no one is left behind.

85. Saint Vincent and the Grenadines is a regional leader through its ratification of the Escazú Agreement and of the full suite of multilateral environmental agreements and human rights treaties, responding to the global climate change emergency and developing a solid set of strategies, frameworks and plans. The country has a relatively good set of environmental laws and policies, although some need to be updated to be consistent with human rights obligations. The Escazú Agreement should be used to guide the development of all climate- and environment-related initiatives, ensuring that human rights are mainstreamed and the right to a clean, healthy and sustainable environment is fulfilled. An important challenge is to close the gap between laws and policies on paper and practices on the ground, by increasing implementation and enforcement.

86. Education is also a central pillar of the Sustainable Development Goals and the Convention on the Rights of the Child guarantees all children their right to an environmental education. Understanding the ecological challenges facing society, as well as the potential solutions, is a prerequisite for responsible citizenship. Young people must be equipped with the knowledge, skills and opportunities to play an active role in shaping their future.

87. In conclusion, the Special Rapporteur would like to reiterate his heartfelt appreciation to everyone who took the time to share their views with him during his visit. It was an honour and a privilege for him to learn about the beautiful Caribbean island nation, its environmental challenges, its resilience and its genuine determination

<sup>50</sup> Economic Commission for Latin America and the Caribbean and Caribbean Court of Justice Academy of Law, *Ensuring Environmental Access Rights in the Caribbean: Analysis of Selected Case Law* (2018).

<sup>51</sup> See [A/74/161](#).

to respect, protect and fulfil everyone's right to live in a clean, healthy and sustainable environment.

88. The Special Rapporteur encourages the Government of Saint Vincent and the Grenadines to implement the following recommendations in order to enhance the nation's reputation for fulfilling its environmental and human rights commitments, and to accelerate progress towards achieving the Sustainable Development Goals.

89. The Government should continue its admirable record of speaking out forcefully about the need for accelerated climate action on mitigation, adaptation and loss and damage by:

(a) Supporting innovative global climate finance solutions, including Special Drawing Rights from the International Monetary Fund, an air travel passenger levy,<sup>52</sup> an international maritime shipping levy, debt relief for climate action swaps<sup>53</sup> and a global tax on fossil fuel products in order to assist climate-vulnerable nations;

(b) Advancing the implementation of a multidimensional vulnerability index for determining access to climate finance and debt relief.

90. The Government should continue taking an effective, rights-based approach to domestic climate action, including:

(a) Accelerating efforts to shift to renewable electricity, combining solar, wind, hydro and possibly geothermal energy, in order to generate environmental benefits and lower electricity prices;

(b) Reducing the permitted age of imported vehicles, encouraging the purchase of hybrid and electric vehicles, discouraging the purchase of diesel vehicles and strengthening public transport services;

(c) Continuing to invest in adaptation projects, including climate-smart agriculture and nature-based solutions to prevent erosion through coastal and river defence projects (such as protecting and restoring mangrove ecosystems);

(d) Seeking climate finance to assist with the reforestation effort;

(e) Implementing the various climate-change-related recommendations made in the course of the recently completed universal periodic review conducted by the Human Rights Council.

91. The ratification of the Escazú Agreement by Saint Vincent and the Grenadines should be used to ensure a human rights-based approach to the development and implementation of all environment-related initiatives, including:

(a) Introducing a constitutional and/or legislative amendment to recognize the right to a clean, healthy and sustainable environment;

(b) Carrying out a review of environmental legislation, regulations, plans and policies to identify where changes are needed to be consistent with the Escazú Agreement;

(c) Ensuring that the update of the environmental impact assessment process is informed by, and consistent with, the requirements of the Escazú Agreement (especially article 7);

(d) Enhancing the ability of the public to participate meaningfully in environmental decision-making by creating an online registry that would make environmental information easy to access, including air and water quality, laws,

<sup>52</sup> See David R. Boyd and Stephanie Keene, "Human rights-based approaches to conserving biodiversity: equitable, effective and imperative", policy brief No. 2 (2021).

<sup>53</sup> A debt for climate swap involves a bilateral or multilateral debt being forgiven by creditors in exchange for a commitment by the debtor to use outstanding debt service payments for climate action programmes. See, for example, Adrian Fenton and others, "Debt relief and financing climate change action", *Nature Climate Change*, vol. 4 (July 2014).

regulations, policies, permit applications and decisions, pollution data and enforcement actions taken;

(e) Investing in public education and capacity-building related to climate change and the right to a clean, healthy and sustainable environment in the educational curricula and continuing education programmes for government agencies, the legal profession and the judiciary;

(f) Ensuring the participation of women, especially rural women, in the design and implementation of policies and programmes intended to prepare for, reduce the risks of and recover from climate-related and natural disasters;

(g) Ensuring that the rights of local residents are respected in all relocation projects, through information, consultation and participation related to the decision-making process;

(h) Allocating more financial and human resources to all departments and agencies with environmental responsibilities;

(i) Encouraging other small island States in the Caribbean region to become parties to the Escazú Agreement on environmental democracy.

92. To ensure safe, sufficient water and adequate sanitation, the Government should:

(a) Avoid cutting off water services for poor households due to non-payment of bills and consider establishing a solidarity levy on all customers to pay for the water used by the poorest households;

(b) Conduct an independent study into the potentially adverse environmental effects of discharging untreated sewage from Kingstown into the ocean;

(c) Implement a programme to monitor potential groundwater pollution and educate residents about the safe operation and maintenance of septic tank systems.

93. To further improve solid waste management and safely manage toxic substances, the Government should:

(a) Increase implementation of “the polluter pays” principle through taxes on toxic substances, including pesticides, fossil fuels and other hazardous materials, generating additional revenue for environmental protection;

(b) Apply extended producer responsibility in the context of solid waste management so that the producers of paper, plastic, packaging, batteries, tyres and other materials become responsible for financing and operating an effective recycling programme, thus reducing government costs and moving towards a circular economy;

(c) Ratify the Kigali Amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer as soon as possible, in order to accelerate the phase-out of hydrofluorocarbons (HFCs), which are powerful greenhouse gases;

(d) Ban any further use of highly hazardous pesticides (categories I and II) and collect any remaining inventory for safe disposal;

(e) Enact new legislation for hazardous waste guided by key principles, including prevention, precaution and “the polluter pays”;

(f) Consider diverting food waste and organic materials from garbage, which could reduce emissions of methane, increase the amount of compost for sale as fertilizer and extend the lifespan of existing landfills.

94. To protect and improve air quality, the Government should:

(a) Make the current pilot project for monitoring air quality a permanent programme;

(b) Reduce emissions from motor vehicles and the two fossil-fuel-burning power plants;

(c) **Establish a daily air quality index as part of weather reports.**

95. **To protect and restore healthy ecosystems and biodiversity, the Government should:**

(a) **Expedite actions to formally designate additional protected areas, particularly in the marine realm, in line with commitments made under the Convention on Biological Diversity and in consultation with local communities to ensure their rights are respected;**

(b) **Carry out a comprehensive forest inventory and protect remaining forests of high conservation value, in consultation with local communities.**

96. **To further advance respect for human rights, Saint Vincent and the Grenadines should:**

(a) **Become a party to the American Convention on Human Rights and the Additional Protocol to the Convention in the Area of Economic, Social and Cultural Rights;**

(b) **Establish an independent national human rights institution, in accordance with the Paris Principles.**

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