



# General Assembly

Distr.: General  
29 September 2015

Original: English

---

**Human Rights Council**  
**Working Group on the Universal Periodic Review**  
**Twenty-third session**  
2–13 November 2015

**National report submitted in accordance with paragraph 5 of  
the annex to Human Rights Council resolution 16/21\***

**Saint Lucia**

---

\* The present document has been reproduced as received. Its content does not imply the expression of any opinion whatsoever on the part of the Secretariat of the United Nations.



## **I. Overview**

1. The Government of Saint Lucia recognises that all persons within its borders possess basic fundamental rights which should be protected and upheld. These rights have been developed nationally in accordance with internationally recognised human rights principles. The Government has further ensured that these rights are strengthened through various legislative and administrative measures. Despite the willingness on the part of the Government to ensure that human rights are equitably distributed, challenges do exist. Government however remains steadfast in the protection and promotion of human rights in Saint Lucia.

## **II. Methodology and consultative process**

2. Saint Lucia compiled this report in accordance with the general guidelines set for the Preparation of information under the Universal Periodic Review. The Ministry of External Affairs, International Trade and Civil Aviation spearheaded this initiative and consulted with the Ministry of Health, Wellness, Human Services and Gender Relations, Ministry of Social Transformation, Local Government and Community Empowerment, Ministry of Home Affairs and National Security, Ministry of Legal Affairs, Ministry of Physical Development, Housing and Urban Renewal, Ministry of Education, Human Resource Development and Labour, Ministry of Tourism, Heritage and Creative Industries, Ministry of Agriculture, Food Protection, Fisheries, Co-operatives and Rural Development and the Ministry of Sustainable Development, Energy, Science and Technology. Further consultations were held with the Office of the Parliamentary Commissioner and a number of stakeholders and civil society organisations.

## **III. Developments since previous Universal Periodic Review**

### **A. Government's growing commitment to human rights**

#### **Access to water**

3. The Government of Saint Lucia has received the assistance of the Government of Mexico in undertaking the 'Water Supply Redevelopment Project' in the district of Dennery. The people of Dennery have suffered with issues related to their water supply for a number of years. The issues in question are twofold; namely a problem with accessing a reliable source of water and secondly the deplorable quality of the water that is actually available. In fact in a Social Impact Assessment carried out in 2014 eighty-nine per cent (89%) of households interviewed indicated that they have been affected by the water supply system, including water outages, turbidity and foul water.

4. The problems with the water supply have naturally affected the twelve thousand five hundred and ninety-nine (12,599) inhabitants of the community in an adverse manner. Some of the issues faced are:

- Illness attributed to the poor water quality;
- The expense incurred from having to purchase bottled water, which is particularly burdensome given that approximately thirty-four per cent (34%) of Dennery's population can be classified as being poor (Caribbean Development Bank (CDB) 2007);

- Interruption of the education of students within the community who are sent home regularly due to the unreliable water supply on school premises.

5. Given the preceding, the Government of Saint Lucia in conjunction with the Government of Mexico, have commenced work on what promises to be a life changing endeavour to improve the water situation in Dennery. The Government of Mexico has provided a five million dollar (USD \$5million) grant towards this project which will be managed by the United Nations Office for Project Services (UNOPS) and is expected to take between eighteen (18) and twenty-four (24) months to complete.

6. The work to be done to enhance the water facilities in Dennery entails the following:

- Water intake construction and raw water transmission;
- Water treatment plant construction and start-up;
- Installation of storage tanks for treated water;
- Installation of pumping facilities;
- Network distribution upgrades.

### **Housing**

7. In accordance with the United Nations Habitat Programme, Saint Lucia's national housing policy views affordable housing as a basic right for its people. To this end, the Government has introduced several initiatives since 2011, that will not only make affordable housing available, but also improve the quality of housing of those in need.

8. The National Housing Policy and Strategic Plan (NHSP) of Action which was adopted in 2011, guides the Government's policy of providing affordable housing to its citizens.

9. The NHSP's mandate is threefold. Firstly, it aims to ensure that all Saint Lucians have access to a decent standard of living. Secondly, that everyone is able to acquire suitable and basic housing at affordable prices and lastly that the right to live in an environment marked with peace and dignity is readily available to everyone.

10. In order to achieve this mandate the Government introduced the programmes set out below:

- Programme for Regularisation of Unplanned Development (PROUD);
- National Sites and Services Project (NSSP);
- Settlement Upgrade Project (SUP);
- Public Sector Relocation Programme (PSRP).

11. The PROUD initiative was introduced to curb the problems associated with the proliferation of unplanned settlements in urban, peri-urban and rural communities in Saint Lucia. Such communities are plagued by a range of socio-economic problems ranging from poor health to an inability to access educational resources. Hence, the PROUD initiative seeks to do the following:

- Provide improved access to basic infrastructure and services for residents in informal settlements. This includes the provision of adequate roads, drains, footpaths, waterlines and other facilities;
- Legitimise the occupation of residents through the provision of the opportunity to gain title to the lands which they occupy;
- Resolve long standing land disputes between neighbours;

- Empower residents to become/continue to be productive members of society;
- Provide opportunities for Saint Lucians to purchase serviced land;
- Improve the aesthetics of the communities;
- Contribute to the long term goal of improved living conditions for residents of the target communities, especially those earning lower incomes.

12. The NSSP on the other hand, seeks to develop state owned lands and provide serviced residential lots at locations throughout the island in order to improve access to affordable housing options and reduce social and economic vulnerability of low and middle income households. In order to achieve its mandate the NSSP seeks to:

- Make residential lots available for sale to all citizens but giving priority to those who do not currently own property;
- Provide low to middle income households with an opportunity to own land in Saint Lucia, thereby bringing persons one step closer to fulfilling their housing needs;
- Generate economic activity, including employment through the implementation of the infrastructural development of this programme.

13. The SUP programme has two main aims, firstly to improve basic infrastructure and services in six (6) communities on island and also to bolster the existing infrastructure in vulnerable communities.

14. The PSRP programme targets the community of Conway in the capital of Castries. Conway can be classified as a slum area as it lacks reliable sanitation services, supply of clean water, reliable electricity and other basic amenities. The PSRP programme aims to relocate the entirety of Conway to resettlement sites. In doing so the PSRP intends on achieving the following:

- Resettlement of households to sites that are adequately serviced with the necessary social and physical infrastructure and amenities;
- To provide an opportunity for the ownership of households;
- An improvement in the standard and quality of life of households;
- A reduction in the potential vulnerability of households to natural and manmade disasters.

#### **Access to food**

15. The Government of Saint Lucia, has shown a heightened awareness of the difficulties that some Saint Lucians have in accessing food, with increased poverty caused by the challenging economic times, the Government has had to implement policies to alleviate the associated with accessing food.

16. In June 2014 the Government approved a Food and Nutrition Security Policy, aimed at reducing hunger by increasing access to affordable, nutritious, safe and quality food. In order to achieve its mandate the Government through the Ministry of Agriculture is working towards attracting investment in agricultural production, post-harvest handling and also the storage and handling of such produce to ensure that loss of food is kept to a minimum.

17. In order to further reinforce the impact of the Food and Nutrition Security Policy, the Ministry of Agriculture has also embarked upon the implementation of a National Food Production Plan and has identified sixteen (16) crop types to form the nucleus of this programme.

18. Saint Lucia in 2014 joined the Zero Hunger Challenge, by collaborating with the Food and Agriculture Organization (FAO), and the Government of Brazil, in introducing this endeavour and all its benefits to the island. Saint Lucia has contributed to the Zero Hunger challenge by attempting to connect agriculture and food production to every sector of society, with the assistance of stakeholders in both the public and private sector. Numerous Programmes were initiated by the Government of Saint Lucia with the assistance of the aforementioned stakeholders, one such programme being the revitalized School Feeding Programme which will benefit disadvantaged and underprivileged school children throughout Saint Lucia.

#### **National helpline**

19. In recent years there has been a disturbing increase in the number of suicides in Saint Lucia, with the majority of the cases being attributed to mental health illnesses such as depression and schizophrenia, or substance abuse problems such as alcohol and the use of illicit drugs. In order to address this growing problem the Government of Saint Lucia introduced the National Health Helpline on the 29<sup>th</sup> of June, 2015. The National Helpline provides twenty-four (24) hour service with lines manned by a team of health professionals trained in crisis intervention techniques.

20. The Helpline will not deal solely with suicide cases, but also provides an avenue for persons dealing with any mental, social and emotional issue to receive the necessary care. Further the service will be linked to a referral system, so that persons in need will be matched to specialist trained in counselling, social work or psychiatry. In situations where emergency intervention is required there is a component of the Helpline that allows for emergency medical services to be activated.

### **B. Matter of national concern**

21. In 2013 the United States (US) imposed a suspension of all assistance to the Royal Saint Lucian Police Force under its “Leahy Law,” which is an amendment to the Federal Foreign Assistance Act prohibiting assistance to countries believed to have had gross human rights violations perpetrated by state security agencies. The suspension stems from what the US deems as the unlawful killings of twelve (12) individuals by officers of the Royal Saint Lucia Police Force between 2010 and 2011 under a programme dubbed “Operation Restore Confidence.” This programme was announced as part of Government’s response to the rise in homicides and gang-related violence. Six (6) of the twelve deaths were subject to local inquests where they were found to have been justified. However, it is reported that the US cited a lack of confidence in the outcomes of the respective hearings.

22. The Leahy Law requires that in order to have the suspension on assistance lifted, Saint Lucia authorities must show that effective steps to bring any perpetrators of alleged extra-judicial killings to justice. With a view to having the sanctions lifted, the Government sought assistance from the CARICOM Implementation Agency on Crime and Security (IMPACS) to further investigate the matter.

23. IMPACS produced a report, which was prepared by investigators of the Jamaica Constabulary Force. Full details of the report have not been released to the public, for fear that further investigations into the matter may be compromised and also with a view of protecting the anonymity of witnesses. However, in March 2015, the Prime Minister of Saint Lucia made a national statement on the matter providing general information on the findings of the investigation. He stated that the report indicated that all the shootings reviewed were “‘Fake Encounters’ staged by the police to legitimize their actions.” The Prime Minister indicated that the report had been passed on to the Office of the Director of Public Prosecutions under whom all criminal prosecutions must be handled. He also noted

that the Government would provide all necessary resources as may be required to assist the Crown Prosecution Service in pursuing this matter.

#### **IV. Achievements in implementation of accepted recommendations**

##### **Acceptance of international norms – 89.1, 89.7, 89.27, 89.14, 89.12, 89.18, 89.13, 89.5, 89.3, 89.11**

24. The Government has every intention of meeting all its obligations regarding the accession/ratification of international instruments which it views as beneficial to Saint Lucia, as well as reporting and strengthening the level of engagement with the instruments in which we are already a part of. However capacity constraints, particularly with the island's legislative drafting unit have led to the delay in acceding to some instruments due to the length in time it would take to draft the necessary enabling legislation. In order to address this issue the Government intends on increasing the capacity of their drafting unit in order to expedite the process. Another measure intended to help with the processing of reports, is the creation of a centralised data base which would allow easier access to information concerning Saint Lucia's obligations under international agreements with the hope that this will also increase the speed at which reports are drafted.

25. Agreements signed, ratified and acceded to:

- Saint Lucia acceded to the United Nations Protocol to Prevent, Suppress and Punish trafficking in Persons, especially Women and Children on the 16<sup>th</sup> of July 2013, the Counter-Trafficking Act was enacted to give effect and to implement the said Protocol in 2010. Also Saint Lucia has established a National Task Force to deal with matters related to the trafficking of persons;
- Saint Lucia signed the International Covenant on Civil and Political rights (ICCPR) on the 22<sup>nd</sup> of September 2011 and has every intention of ratifying the agreement before the end of 2015;
- Saint Lucia became a signatory to the Convention on Rights of Persons with Disabilities (CRPD) on the 22<sup>nd</sup> of September 2011 and will be ratifying its optional protocol;
- Saint Lucia has signed and ratified the two optional protocols to the CRC namely the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography (2013) and the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict (2014).

##### **Poverty/Socio-economic issues – 89.98, 89.99, 89.101, 89.102, 89.100**

26. Greater consideration has been given to the poverty situation in Saint Lucia by the Government since the 2011 Universal Periodic Review. Saint Lucia, being a Small Island Developing State, has definitely felt the impact of the economic downturn as it relates to its level of poverty. As a consequence, Saint Lucia has introduced a myriad of initiatives to ameliorate this situation.

27. The Government of Saint Lucia through the Ministry of Social Transformation, Local Government and Community Empowerment has continued the work of the Public Assistance Program (PAP). The PAP is a means-tested program which provides assistance

to approximately three thousand one hundred and thirty (3,130), individuals or two thousand four hundred and eleven (2,411) households which have been deemed poor. The assistance provided to these impoverished households is inclusive of, but not limited to monthly cash transfers, assistance with the replacement of spectacles/glasses, help with the cost of burial of loved ones and waivers on medical care. From 2013 there has been a twenty four per cent (24%) increase in the amount of money transferred to these impoverished households by the government.

28. The Government has also continued to provide access to finances to individuals who would not normally qualify for financing via commercial banks, through the James Belgrave Fund for Microenterprise Development (BelFUND). This initiative targets predominantly impoverished individuals who are looking to start up small enterprise or looking to further enhance an existing one. Since 2011, the Government has bolstered the capabilities of the BelFUND in order to ensure that the recipients of financial support have greater chances of success.

29. The Government has also continued to commission the building of Human Resource Development Centres (HRDCs) in communities which are deemed to be in need of such services. The purpose of these centres is to enhance human enrichment in disenfranchised communities by providing resources such as computers and access to the internet. Further community development is improved through information and computer technology classes, early childhood education and skills training being housed inside the premises of any given HRDC.

30. With the assistance of stakeholders in the private sector, the Government has been able to provide academic support and life skills to the most vulnerable youth on island. To date this initiative has been established in fourteen (14), communities serving approximately four hundred (400) youth. Though this programme does not provide monetary support to at-risk children, it does compliment the governments other endeavours in combating poverty, in that it provides poverty stricken youth with the necessary tools to overcome their circumstances as they mature.

31. The Government has also commenced the Short Term Employment Program (STEP), which is geared towards providing individuals battling poverty and unemployment with an opportunity to earn some much needed monetary support. STEP has been introduced island-wide with particular emphasis being placed on the poorest communities such as Canaries which has been assessed as being the poorest community in Saint Lucia. Participants in the program are engaged in farm-help and community clean-up drives as well as other initiatives.

32. Going forward the Government of Saint Lucia, through its various agencies and the assistance of private stakeholders, hopes to better the performance of the initiatives mentioned above and also introduce new programmes to combat the problems brought about by poverty.

33. The Government, through the Ministry of Social Transformation, Local Government and Community Empowerment, in tandem with the World Bank, has completed an assessment of the appropriateness of the Government's institutional arrangements and capacity of its human resources, in order to assess the effectiveness and efficiency of the delivery of social safety net programming. A number of recommendations came out of this exercise, and the Government has taken note of them and intends on assessing the practicality of each in order to improve on its services in this area.

34. Finally, the Government has embarked on an ambitious program of Social Protection Reform which seeks to firstly improve targeting of social assistance to ensure that it reaches those who are most in need. Furthermore, a management information system for social assistance programs will be established with the intention of keeping all

information in a centralised location and therefore allowing for easier access and dissemination of vital data, in turn making the task of reaching the poor an easier one.

### **Discrimination against women – 89.58, 89.59, 89.60, 89.61, 89.62, 89.63**

35. In recent years, the role of women in Saint Lucian society has undergone an incredible transformation. Through numerous initiatives and most notably through education, women in Saint Lucia have achieved levels of empowerment, which they have never been exposed to before. However, this does not mean that parity has been fully realised in all walks of life, and it is this fact that has led to the Government initiating programmes and bolstering existing ones which address women's issues.

36. The Government, through its Division of Gender Relations, launched an awareness campaign entitled 'Share the Care'. This initiative was geared towards promoting male participation in caregiving which has traditionally been viewed as a woman's role.

37. In ensuring that women in rural areas have better access to education and vocational training programmes, the Government of Saint Lucia, through the Saint Lucia Network of Rural Women Producers, has created an avenue for women in rural communities to gain access to a number of training and capacity building initiatives which has also allowed many of these women to be introduced to various forms of information technology.

38. It has been the policy of the Government, as seen in Saint Lucia's previous report, to have health care facilities within three (3) miles from where persons work and live. Greater impetus has been placed on improving these facilities over the last few years. A significant number of these facilities have been upgraded and refurbished, and these improvements have included the provision of obstetric, maternal and child health services, all of which are provided by the state free of charge.

39. The continued work of the Women's Support Centre which was established in 2001 has aided in ensuring that victims of domestic abuse are able to obtain access to shelter, counselling, social support and protection from the abuse which they have been exposed to. Furthermore, the Women's Support Centre often works in tandem with the police and family court to provide legal redress and additional protection for victims. Finally, in cases where the abused woman is unemployed and her current living environment puts her at risk for further abuse, the support centre would endeavour to source alternative housing and job placements for that individual.

40. The Vulnerable Persons Team is a unit which was established within the Royal Saint Lucia Police Force in 2003. This Unit's mandate is to respond solely to cases of violence against women and children on island with the aim of resolving such matters with necessary care and attention.

41. The Government, through the Division of Gender Relations has addressed the issue of violence against women through a series of awareness raising activities supplemented by training programmes for the police, healthcare providers and other relevant parties in order to aid in the better handling of matters of domestic violence.

42. In 2015, the Government introduced the National Social Protection Policy in order to ensure that sustainable development in Saint Lucia is inclusive and equitable. This rights-based approach to social policy in Saint Lucia will be spearheaded by the Ministry of Social Transformation and places clear obligations on the state to ensure that a certain standard of living is realised by its citizenry. This new policy also comes with what is referred to as a 'Gender Aware Beneficiary Analysis' which takes into account the needs of both men and women in society and tailors the approach taken in addressing these needs based on the unique circumstance that each may be faced with.

43. In 2012, the Government introduced the Single Mothers in Life Enhancement Skills (SMILES) programme, with the intention of aiding single mothers who have encountered difficulties in maintaining their households in the absence of the father. In doing so, SMILES provides these mothers with the opportunity to gain the requisite skills to either gain employment or to start their own micro enterprise.

44. In keeping with its 2014–2021 strategic priority of ‘providing an enabling environment for women, from all walks of life to contribute and enjoy the benefits of sustainable development and peace’, UNESCO has provided aid in the amount of twenty-six thousand dollars (\$26,000.00 (USD)) to fund the Women in Equality Empowerment Program (WEEP). This initiative, will be headed by the National Skills Development Centre (NSDC), and is geared towards providing comprehensive training to women, in order to improve the likelihood of them obtaining and securing employment.

45. As articulated in Saint Lucia’s previous report, the Education Act of 1999, in accordance with the Convention on the Rights of Child, affirmed the rights of all children to receive an education and prohibits refusing admission of students to schools on any discriminatory grounds. Furthermore, both the Convention and the Act seek to remedy inadequacies along gender lines. To this end, Saint Lucia has eliminated such discrimination as it pertains to access to education. It has been realised however, a trend of female students out-performing their male counterparts at every level of the education system on island. The underperformance of male students is by no means ideal, and is something that is currently being addressed by the Government. However it does speak to the tremendous progress that has been made by the Government and people of Saint Lucia in ensuring that women succeed in education.

46. The country’s last general election saw the highest number of female candidates in Saint Lucia’s electoral history, with ten (10) females vying for the opportunity to become parliamentary representatives. Of the 10 candidates three (3) were successful, two of which hold ministerial portfolios; with the Honourable Alvina Reynolds being the Minister of Health, Wellness, Human Services and Gender Relations and the Honourable Emma Hippolyte being the Minister of Commerce, Business Development, Investment and Consumer Affairs, both being very prominent ministerial portfolios.

47. In February of 2015, the Honourable Emma Hippolyte became Saint Lucia’s first female acting Prime Minister, which exhibited the heightened regard for women in Saint Lucian society.

48. Another accomplishment for women in politics was realised when, the parliamentary opposition appointed the country’s first female leader of the opposition in Dr. Gayle Rigobert.

### **Right to health – 89.105, 89.106**

49. The right to health is viewed by the Government and people of Saint Lucia as a fundamental right of all citizens. As a result, Government has introduced policies and initiatives to address the healthcare needs of all Saint Lucians.

50. The Government has made it a priority to focus not only on general healthcare concerns but also focuses its attention on specific areas such as women’s health and HIV/AIDS care. Consequently, the requisite programmes and initiatives needed to make improvements in these areas are being wholeheartedly pursued.

51. In order to meet the needs of women in rural areas, obstetric clinics and maternal services are provided through the Primary Health Care model operated by the Ministry of Health. These services are provided at no cost to patients and are available in close

proximity to those in need, which in turn limits the transportation cost which would be seen as a deterrent to seeking health care in the past.

52. Saint Lucia has continued to work on improving the treatment and care of persons with HIV/AIDS, in addition to the prevention of HIV/AIDS on island. In partnership with international agencies and NGOs, Saint Lucia has made significant headway in combatting the spread of HIV/AIDS on island. Since 2010, Saint Lucia has not recorded a single case of mother to child transmission of the disease.

53. The Government has also received assistance from the Pan-Caribbean Partnership against HIV/AIDS (PANCAP). This assistance has seen improvements in both the availability of lab testing and the quality of testing for the disease. PANCAP has also hosted and assisted in funding a series of leadership courses which have increased knowledge and awareness about the disease on island.

54. The treatment of HIV/AIDS patients is done primarily by the staff of the national hospital. Treatment is supplemented by the availability of follow-up care at health centres throughout the island. The Government and those administering treatment have ensured that treatment and care for patients is administered indiscriminately.

55. Further progress has been made in the provision of antiretroviral drugs to patients through the OECS Programme and Procurement Unit. The increase in the availability of drugs has led to patients living longer lives with the disease, whereas in the past it was viewed as a death sentence. As a result this has had the effect of encouraging more individuals to get tested knowing that treatment is readily available.

56. The OECS continues tackle HIV/AIDS as a collective. With a grant of just over five million dollars (\$5,000,000.00 USD) to be shared amongst six (6) states including Saint Lucia, OECS Member States will strategically utilise these funds to deal with HIV related issues.

57. Going forward the Government intends on implementing its National Strategic Plan for Health. This plan has been delayed due to financial constraints, but is scheduled to be completed in 2017. The aim of the National Strategic Plan is to ensure that all persons, regardless of their socio-economic situation have access to an essential package of effective, efficient and high quality health services.

58. A seven (7) point plan will be used to guide the implementation of the changes to the healthcare system:

- Strengthening the organisation and management of the health and social services;
- Improving and sustaining the health gains and well- being of all residents;
- Achieving greater equity, cost effectiveness and efficiency in the allocation and use of the health resources;
- Ensuring a cadre of well trained and motivated staff;
- Developing an effective Health Information System to support evidence-based planning in the provision and delivery of healthcare;
- Ensuring an effective quality improvement system capable of monitoring standards and achieving stakeholder accountability;
- Improving health infrastructure to support health reforms.

### **Climate change – 89.115**

59. Saint Lucia has used international and regional platforms to express its support for a global reduction in carbon emissions. Being one of the forty-four members of the Alliance of Small Island States (AOSIS), Saint Lucia and other small island developing states have been able to voice their concerns about the harmful effects of climate change. These islands all share the same vulnerabilities to climate change and by coming together have given themselves a louder voice in fighting a common cause.

### **Prohibition of torture and cruel, inhuman or degrading treatment – 89.72, 89.73**

60. Akin to the rights enshrined in the Universal Declaration on Human Rights, Saint Lucia's Constitution makes provision for the fundamental rights and freedoms of its people. Article 5 of the Constitution specifically addresses the issue of inhuman and ill treatment, as it states that "No person shall be subjected to torture or to inhuman or degrading punishment or other treatment."

61. Further, protection from torture, physical abuse and excessive force is found in the Criminal Code of 2008 which prohibits the use of excessive force by any member of society against another. This in fact extends to correctional officers who could face conviction on indictment and imprisonment of up to seven (7) years if the officer in question were to use any kind of torture on an inmate or were to intentionally or unlawfully cause any harm to an inmate in the course of his/her duties.

62. Amendments were made to the Police Complaints Act in 2013 which allow the Minister responsible to launch an independent investigation into the behaviour of any officer in matters where allegations of excessive use of force have been made by a member of the public.

63. In recent years, Saint Lucia has had the unfortunate experience of dealing with a myriad of gang related activity. In the conduct of such activity, it can reasonably be expected that there would be victims who suffer serious bodily injury. In order to curb this problem the Anti-Gang Act of 2014 was introduced which criminalised gang related activities, hence bringing individuals who have committed the use of excessive force whilst participating in gang related activities to justice.

64. Another way in which the Saint Lucian criminal justice system attempts to ensure that justice is served, is through the introduction of recorded testimonies of vulnerable witnesses via video link. The introduction of recorded testimonies ensures the protection of witnesses from violence or intimidation which in turn makes it more likely that witnesses would come forward when heinous crimes are committed.

### **Right to an effective remedy, impunity – 89.86, 89.87, 89.88, 89.90**

65. With the enactment of the Police Complaints Act came the introduction of the Police Complaints Commission and the Police Complaints Unit. Both of these mechanisms serve to provide an open and transparent process in the handling of police complaints. The Complaints Unit receives, investigates and determines the authenticity of complaints and other related matters by the public. Monthly and quarterly reports concerning the progress of investigations of these complaints must be submitted to the Police Complaints Commission through the office of the Commissioner of Police.

66. In the spirit of fairness, the Police Complaints Commission is an independent body. Furthermore, it also has the ability to carry out its own investigation in relation to a complaint against the police, without the assistance of the Complaints Unit. Public awareness of the existence of the Commission and the Complaints Unit has been enhanced through sensitisation exercises carried out by the Police via the media.

67. An officer who is found guilty of the actions alleged in the complaint faces one of five punishments which are listed below:

- Caution and reprimand;
- Suspension;
- A fine not exceeding the equivalent of ten (10) days' pay;
- Reduction in rank.

68. The Government plans to further strengthen policy against the use of excessive force by the police. Hence the planned introduction of the "Use of Force Policy for the Royal Saint Lucia Police Force", which is in the final stages of review prior to submission to the Cabinet of Ministers for approval. It is hoped that this policy would reinforce the responsibility of police officers to adhere to proper practices and conduct. Although this policy has not yet gained approval, it does demonstrate the Government's commitment to ensuring that the police abide by the highest level of professional and ethical standards in the execution of their duties.

69. A major impediment to justice in Saint Lucia is the amount of time it takes to resolve legal matters, thus creating a backlog of cases. A number of reasons have been cited for this backlog such as insufficient judicial officers, court staff and court rooms.

70. As was articulated in Saint Lucia's previous report, our domestic court system is a multi-tiered one which consists of the Magistrate's Court, the High Court and the Eastern Caribbean Court of Appeal. The Magistrate's Court adjudicates on the less severe criminal and civil law matters. Within the Magistrate's Court, there is also a special Division of the Family Court to deal with family matters. The High Court handles major civil and criminal cases.

71. In 2006, the Magistrate's Court established an Administrative Court Division which led to it being divided into both administrative and trial courts. The administrative court referred to as the Case Management Court helps to prepare a case for trial thereby expediting the determination of cases in the trial court.

72. In the first quarter of 2015, an additional Criminal High Court Judge as well as a Criminal High Court Master was added to the judiciary of Saint Lucia. This means that there are now two (2) judges presiding exclusively over trials, and a Master who presides over the management of cases in preparation for them. These additions will serve to decrease the length of detention without trial, by ensuring that cases are heard a lot earlier than they previously would have been.

### **Liberty and security – 89.97**

73. As our society evolves so too must the framework which governs the lives of its people. In recent years there has been significant growth in the LGBT community and their collective voice on pertinent matters has become louder. As is the case in many other nations there has been resistance to the plight of these persons, whether this is due to a difference in beliefs or ignorance, the fact remains that there are underlying tensions that need to be addressed.

74. Thankfully, in Saint Lucia, the majority of tension has not spilled over into violence. Saint Lucia however has chosen not to take a reactionary stance on this matter, by pushing forward with various initiatives that tackle the issue of acts of violence and other human rights violations, being committed against persons because of their sexual orientation or their gender identity head on.

75. United and Strong has been the main flag bearer when it comes to LGBT matters in Saint Lucia and amongst the leaders on that front in the region. In 2013 one hundred and ninety-nine (199) police officers attended a training session hosted by United and Strong in which issues affecting the LGBT community were openly discussed. This afforded the police the opportunity to gain greater knowledge on what has often been viewed as a taboo area, it is hoped that this experience will aid in better policing of LGBT issues.

76. In 2014, United and Strong and the Royal Saint Lucia Police Force in partnership with several stakeholders, facilitated a successful human rights sensitisation programme. The aim of this programme was to ensure that in fulfilling their day to day duties that officers placed greater emphasis on ensuring equality for all persons.

77. In 2015 further sensitisation training was done this time capturing a broader range of participants including officers from the Air and Sea Ports, Customs and Corrections, members of civil society and community service providers. This session was geared towards ensuring that law enforcement can become more humane, which in turn would lead to a reduction in the stigma surrounding the LGBT community and increase the protection for human rights defenders who work on the rights of LGBT persons.

78. The Labour Code Act (2006), which was implemented in 2012, marked a significant moment in Saint Lucia's legislative history, as for the first time individuals were provided protection solely on the basis of their sexual orientation. According to section 131 of the Act, it is unlawful for an employer to dismiss or institute disciplinary action, against an employee based on sexual orientation.

79. All initiatives which have come to the fore serve to supplement the rights already enshrined in the Constitution of Saint Lucia. The Constitution provides for judicial redress to any individual who alleges that their fundamental rights have been, or are likely to be contravened. Consequently, any individual or group of individuals who believe their rights have been violated or that they may have been discriminated against can initiate proceedings before the High Court and seek redress.

### **Right to education – 89.43, 89.44, 89.45, 89.103, 89.107**

80. The Government has made addressing the issues facing males at school a priority. In doing so, it has been realised that many of the issues stem from early childhood development, well before their enrolment within the primary and secondary school systems.

81. This information came to light after a Multiple Indicator Cluster Survey carried out in 2012, in which it was found that ninety-six per cent of girls, between 36–59 months old, were engaged in four or more activities with an adult household member, as opposed to eighty-nine per cent of boys. The survey also revealed that more girls are exposed to books (literature), whilst boys are exposed to more play things at an earlier age. Hence, educating parents and ensuring their participation in the design and functioning of Early Childhood Education (ECE) is viewed as one of the key strategies by the Government.

82. In June 2014, with the help of the Commonwealth, the Ministry of Education (MOE) began the implementation of the School Mentoring Programme for At- Risk Students. This three (3) year pilot project comprises sixty (60) mentors and one hundred and twenty (120) mentees from six schools; two primary and four secondary schools. It is

the intention of the MOE to add six (6) additional schools by the third year of the programme. The main objectives of the programme are as follows:

- To improve students self-perception through focusing on positive identity development;
- To improve the school attendance and academic performance of boys considered at risk for academic failure;
- To reduce the risk of students engaging in problematic behaviour through positive adult influence;
- To provide students with emotional support and stability through contact with a consistent same gender adult role model;
- To strengthen policies which address specific issues that may come to the fore during the programme.

83. Serious progress has also been made in terms of how students with special needs are identified and catered to within Saint Lucia's education system. With the aid of a multi – development team, education officials on island have found it easier to identify, assess and intervene when the need arises in cases involving disenfranchised youth.

84. The MOE has also introduced Early Childhood Screening and Diagnosis of Learning Deficiencies. This programme was able to get off the ground thanks to funding from the Caribbean Development Bank.

85. As Government continues its provision of quality education to all students, it is mindful that many students may not be able to fully access these programmes due to the financial constraints faced by parents and guardians. An initiative put forward to remedy this has been the distribution of five hundred dollar (\$500.00) grants to every incoming secondary school student. This policy has undoubtedly assisted families of a lower socio-economic status in ensuring that their children commence entry into secondary school properly equipped.

86. The Government is acutely aware of the importance of Information Technology in the current job market, and it is in this vein that the Government has made a concerted effort to ensure that secondary school students are equipped with the requisite technical knowledge and skills. In 2013, the Government, through the MOE, began furnishing all students from form three to form five with a laptop. This provision ensures that all students, regardless of socio-economic background, are exposed to the technology of the day. As society develops and grows so too must the role that schools play in that society. Government has recognised this and has embarked on a number of initiatives in this regard.

87. The Government, in collaboration with UNICEF has introduced the latter's Child Friendly Schools Programme. This programme targets individual schools with the aim of transforming them into an ideal learning institution. This means that areas such as the student's safety, security, nutritional status and psychological well-being are specifically targeted for improvement. Additionally, training of academic staff and the streamlining of teaching methods is addressed under the Child Friendly Schools programme. This programme also promotes alternative methods of disciplining students, as opposed to the use of corporal punishment, with an increasing number of schools signing on to the programme this should lead to the gradual phasing out of corporal punishment in the classroom.

88. The MOE has recently embarked on looking into the feasibility of implementing the 'Zero Hunger' challenge. If introduced, this programme would see a collaborative effort between the Government of Saint Lucia and the Food and Agricultural Organisation (FAO) and would go a long way to solving the issues of hunger in our secondary schools.

This in turn could lead to increased educational performance at that level. The cost implications and other operational factors however, need to be taken into consideration. A great deal has already been accomplished in the remodelling Saint Lucia's education system but there still remains a lot that has yet to be achieved. With a view of ensuring the continued growth of our education sector, the Government has recently developed its 2015–2020 Education Sector Development Plan which details a list of strategic priorities which are inclusive of but not limited to the following:

- The democratisation of education;
- Student achievement;
- Quality and rigor of education;
- Effective teaching and learning;
- Gender equity and human rights;
- Technology integration and innovation in teaching and learning.

89. The Government remains steadfast in ensuring that the people of Saint Lucia are exposed to and thrive in the best educational environment possible.

### **Children – 89.46, 89.47, 89.48**

90. The Government of Saint Lucia has always placed the well-being of its nation's youth at the forefront of its national development agenda. This focus has intensified over the years and it is in this vein that Saint Lucia has continued to introduce programmes, which are aimed at addressing issues faced by the youth.

91. Currently, Saint Lucia is in the process of undertaking a reform of its juvenile justice system. The process involves the review of laws pertaining to children and juveniles, as well as the introduction of a number of programmes which focus on addressing the societal problems faced by youth.

92. As was stated under the recommendations relating to the right to education, the Government has introduced a number of initiatives within the school system targeted at all children but particularly those considered to be the most vulnerable, and in turn less likely to succeed at school. Some of the programmes which have been introduced are:

- School Mentoring Programme for at-risk children;
- The introduction of Early Childhood Screening and Diagnosis of Learning Deficiencies;
- Government funded grants of Five Hundred Dollars (\$500.00) for each child entering secondary school;
- Providing every Secondary school child from form three to five with a laptop;
- The intended introduction of the 'Zero Hunger', initiative to tackle the problems some secondary school students face in obtaining wholesome meals.

93. Cognizant of the need to increase and better allocate funding for areas regarding youth, the Government has introduced Child Friendly Budgeting under the auspices of the Ministry of Finance. Child friendly budgeting will allow for more efficient and targeted spending by the Government on projects centred on youth. This is intended to reduce wastage on projects deemed unworthy of pursuing.

94. Child abuse remains a serious societal concern. Hence the reason why the New Beginnings Transit Home opened its doors in 2011, it affords victims of child abuse the opportunity of rehabilitation with the hope that, they can return to some form of normalcy.

95. Government has also launched awareness campaigns that target society in general as well as professionals within the field; The “Break the Silence” campaign was launched by the Government to heighten the public’s awareness of child abuse. Furthermore, Saint Lucia has participated in CARICOM regional meetings and training workshops on child sexual abuse with the intent of honing the relevant stakeholder’s abilities in dealing with the victims and overall issues which stem from the sexual abuse of children.

96. Government continues its efforts to ensure that every child is protected and treated equally in Saint Lucia. A National Action Child Protection Committee was introduced by the Government in 2012, in order to meet the demands of coordinating the implementation of the Convention on the Rights of the Child (CRC). It is the intent of the Government to provide the Committee with adequate human, technical and financial resources to effectively implement and coordinate comprehensive, coherent and consistent child-rights policies in line with Saint Lucia’s obligations under the CRC.

### **Institutions and policies – 89.36, 89.41**

97. The Integrity Commission in Saint Lucia has the power to receive and investigate complaints against public officials. Under the Integrity in Public Life Act, the Integrity Commission can enquire into any reports made to the Commission and refer the matter to the Director of Public Prosecutors (DPP); public officials are not absolved from such investigations as evidence regarding a complaint against any person in public life can be heard.

98. The Government of Saint Lucia has increased efforts to promote and protect the rights of vulnerable groups such as the disabled and the elderly. In the 2013/2014 national budget the Prime Minister stressed the importance of singling out differently-abled children for special treatment, something that had never been done by any previous administrations in Saint Lucia. To that end the Child disability grant was introduced as an important social safety net initiative which specifically targets children with disabilities below the age of twenty-one (21).

99. The Child Disability Grant was launched in June 2014 and is managed by the Ministry of Social Transformation, Local Government, and Community Empowerment.

100. Children must suffer with severe disabilities and be below the age of twenty-one (21) in order to qualify for assistance under the disability grant. As of August 2015 one hundred and sixty-six (166) children had benefited from the two hundred dollar (\$200.00) monthly grant.

101. As regards the care for the elderly, the Government of Saint Lucia has been very forthcoming in the support of existing facilities which aid in taking care of senior citizens, this support has come in the form of the provision of financial donations to all the homes specialising in elderly care on island. As well as supporting privately owned homes, the government has also seen it fit to establish a state owned home, namely Comfort Bay Senior Citizens Home to further bolster elderly care in Saint Lucia.

102. Further the Government provides a subvention to ‘HelpAge Saint Lucia- National Council of and for Older Persons’, which is a non-governmental organisation that specialises in providing daily care of the elderly within their communities, providing food, social interaction and access to health care to these persons. This initiative is geared

towards keeping the elderly in an environment which they are familiar with and not supplanting them to different homes or communities, in order to negate emotional distress.

103. Moving forward the Government is considering a draft policy for the elderly to further enhance the care which they receive in Saint Lucia.

### **Human rights education and training – 89.40**

104. Saint Lucia's human rights mandate is currently carried out in the absence of a National Human Rights Institution (NHRI), but rather by a number of independent human rights advocates and institutions who champion the cause. These agencies and advocates supplement the efforts by the Government of Saint Lucia in ensuring that the populace's rights are upheld.

105. The Office of the Parliamentary Commissioner (Ombudsman) is not equipped, structurally, to address the myriad of issues which NHRI's are expected to undertake, as it is not adequately staffed to handle the increased work load. Unfortunately the cost of setting up an NHRI in Saint Lucia at this moment appears to be prohibitive, however the need to better the human rights framework in Saint Lucia has not been lost on the government and it is intended that a cost effective solution will be arrived at once consultations with the UNDP and other international organisations are commenced.

### **Life imprisonment and minors – 89.34**

106. In Saint Lucia the penalty of life imprisonment is applicable to minors. However when sentencing, the Court takes into consideration all mitigating factors such as the age of the offender, hence the reason why such a sentence has never been handed down to a minor.

## **V. Challenges and constraints**

107. In preparing this report there were some challenges encountered by the Ministry of External Affairs, International Trade and Civil Aviation. However the issues encountered were to be expected since Saint Lucia lacks an NHRI, this means that there is no central point to obtain the information needed for the preparation of this report. However the Government intends on bolstering its human rights framework in the coming years and with this should come easier access to the requisite information, not only for the purposes of this report but also for the use of other state entities.

108. Another area which the Government intends on improving for the next UPR is the level of civil society engagement. Again this can be seen as a symptom of not having the necessary framework in place and with the imminent improvements on the horizon, this issue should be mitigated. In fact in preliminary discussions with representatives from the United Nations Development Programme (UNDP), Saint Lucia was made aware of their willingness to aid in enabling the Government to reach a wider audience when it came to matters pertaining to human rights.

109. As has been shown, in order to safeguard against the issues encountered in preparing this report from repeating themselves, the Government is prepared to take the necessary internal steps, to ensure that there is greater fluidity in the manner information pertaining to the UPR is circulated throughout the public service and civil society. Further the Government intends to solicit assistance from the UNDP in coordinating Saint Lucia's UPR strategy.

## **VI. Conclusion**

110. Saint Lucia's inability to meet some of the recommendations put forward, should not put in doubt its commitment to the protection and promotion of human rights, but rather should serve to highlight some of the resource constraints which have slowed its progress in meeting them.

111. The Government has every intention of seeking international assistance for support in areas where Saint Lucia has been found wanting. It is hoped that this assistance will help with getting the country to buy into human rights development on a broader scale by enabling the relevant stakeholders to adequately hone their approach in delivering their message.

112. The Government and people of Saint Lucia are quite aware that there are some taboo areas which have not been adequately addressed, such as same-sex marriage, corporal punishment and the death penalty to name but a few, however given that on the 18<sup>th</sup>, of August, 2015 parliament debated a Constitutional Reform Report, in which some One Hundred and Ninety (190) recommendations were considered, inclusive of areas such as those named above, it shows a willingness on the part of our people to embrace change and if not at least consider it.

---