

Saint Lucia's Statement

Mr. President, Excellencies, ladies and gentlemen,

Introduction

Saint Lucia welcomes this opportunity to return to the Human Rights Council and participate in this second cycle of the Universal Periodic Review, and to engage in dialogue with fellow members of the United Nations Membership, on the human rights record and achievements of the Saint Lucian people and its successive Governments.

I wish to also take this opportunity to thank the Human Rights Council for the timely submission of the three main documents that will guide our work today. And also express gratitude to the states – Liechtenstein, Mexico, Slovenia, Spain, the United Kingdom and Kenya – who have submitted advanced questions for our consideration.

The goal of the UPR is to improve the human rights situation in all countries and address human rights violations wherever they occur. This goal is not dissimilar to the object and purpose of the government of Saint Lucia, who has the responsibility to fully respect and safeguard the human rights of all of its citizens.

Mr. President,

Saint Lucia comes under its second review at a critical period in the history of our island's young democracy. Our National report which was submitted in early September was prepared within the context of two significant ongoing democratic processes that have an immediate and deliberate impact on the human rights and fundamental freedoms of our people.

Saint Lucia's ongoing process of constitutional reform and the incorporation of the United Nations 2030 Agenda for Sustainable Development into our National Development plans, will necessitate a thorough review and potential overhaul of our national legislative frameworks.

The goal of Saint Lucia's process of constitutional reform, which has been progressing over the years, through successive governments, as articulated by our Head of State – Dame Pearlette Louisy – is to “encourage effective governance, ensure that the institutions of the state remain strong and responsive and that the rights and freedoms guaranteed to all persons are respected.”

Saint Lucia's reform process seeks to bridge the disconnect between democracy and the constitution which seeks to protect it ; and deepen our democracy by harmonizing the island's changing social and political circumstances. The Prime Minister of Saint Lucia – Dr. Kenny D. Anthony has said that “the constitution quite apart from giving shape to structures and institutions should connect with its people in a fundamental way.”

Mr. President,

2015 has been a watershed year for development, with major new global agendas being agreed. The year has been particularly important for Small Island Developing States like Saint Lucia, who are grappling with the challenge of charting a viable path to balanced sustainable development. The 2030 Agenda, which Saint Lucia is currently working to incorporate into its National Development plans, puts people at the center of development, as its ultimate beneficiaries. The Government of Saint Lucia reaffirms its belief that the security of the rights and well-being of all its citizens is a fundamental pillar in our country's development.

Human Rights however, cannot be treated with, in isolation, or divorced from the wider national circumstances that affect every citizen. It is critical that the government's human development approach provide the necessary environment for the full realization of human potential that contributes to shared prosperity. This requires an innovative, ambitious and committed approach to Saint Lucia's human development.

Saint Lucia's human rights record taken only at face value is not therefore a true reflection of the realities on the ground. Since our first review in 2011, Saint Lucia has experienced a myriad of challenges which have impacted the government's ability to maintain the delicate balance of meeting its international human rights obligations while responding to emerging crises that require the government to safeguard its citizens from immediate harm.

When one considers that three hours of rainfall one Christmas Eve in 2013, resulted in loss of life and property and damage estimated at US\$99 million, the equivalent of 18.5% of our annual budget; the government's focus was to the immediate security of its citizen's basic human rights, as highlighted in our national report, where areas of priority have been its commitment to our people's access to food, water, housing and employment.

All of this notwithstanding, our country remains undeterred in our aim to secure and uphold the highest principles of human rights. ****

Mr. President,

It is for our people, the people of Saint Lucia who we represent here today, that we reaffirm our country's commitment to the implementation of the recommendations accepted following our first review, four years ago. We will provide the council with an update on our progress in that regard, while highlighting our achievements and challenges to date.

Implementation of the international human rights obligations

Mr. President,

In relation to the implementation of Saint Lucia's international human rights obligations, we are pleased to report that Saint Lucia has ratified/acceded to five of the recommended international instruments, and enacted domestic legislation (our Counter-Trafficking Act, 2010) in advance of the accession of the *United Nations Protocol, to Prevent, Suppress and Punish trafficking in Persons, especially Women and Children 2013*.

Once again, it is necessary that I provide some national context in relation to our implementation process. Outside of the impact of the constitutional reform process, and other processes that inform our priorities, the real and immediate challenge is that of the limitations of human and technical capacity. For instance, the legal department of the Ministry of External Affairs, International Trade and Civil Aviation of Saint Lucia, is staffed with one legal officer, who has the responsibility for all legal matters across all three of the Ministry's portfolios. There is also limited capacity within our Attorney General's Chambers, where at most we have on staff one legislative drafter.

It is a challenge that exacerbates delays in meeting many of our commitments. Notwithstanding these obstacles, our resolve is firm and our commitment true and so we intend to announce by the March plenary session of the Human Rights Council, further achievements with respect to our human rights obligations. For example, I can announce today that the formal process toward the ratification of the Kampala Amendments to the Rome Statute has begun, and we anticipate ratifying the instrument shortly.

In addition, we have embarked on several initiatives aimed at improving our ability to manage our responsibilities in relation to compliance with the relevant instruments. We are presently working toward increasing the human resource capacity of our heavily burdened legislative drafting unit, in order to better facilitate the drafting of relevant legislation. Work is also underway on the establishment of a centralized data base to manage our international instruments, which would allow easier access to information concerning Saint Lucia's obligations under international agreements, thus assisting in the processing of reports.

The Right to Life, Liberty and Security of Person

Mr. President,

Since independence the participation of women in key sectors in society has been significant. In fact, according to a January 2015 ILO report, 52.3 % of managerial positions in Saint Lucia are held by women; a statistic which was featured in articles in the international press (Washington post, London Daily Mail) highlighting that there are only three places in the world where your boss is more likely to be a woman, Saint Lucia being one of them.

It is noteworthy that Saint Lucia's Constitutional Reform process was itself headed by a distinguished female luminary in the form, Justice Suzy d'Auvergne.

Further government endeavors such as the Women in Equality Empowerment Program (WEEP), the complete revamp of our education system through the Education Act of 1999, and the active participation of women at the helm in both the public and private sectors, further supplants Saint Lucia's commitment to ensuring equality amongst its populace.

With the goal of sustaining the principle of equity between men and women, Saint Lucia affirms its commitment to the full implementation of all the provisions enshrined in the UN Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW)(1979).

Mr. President,

The Government of Saint Lucia guards jealously its role in the protection of children, a fact which has guided and shaped national policies and efforts to protect the vulnerable, and ensure equal opportunity to children in all parts of the country.

In 2012 a National Action Child Protection Committee (NACPC) was established, with the goal of coordinating and reporting on the implementation of the Convention on the Rights of the Child. As stated in our country report 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.

Child Friendly Budgeting was introduced under the auspices of the Ministry of Finance to increase and better allocate funding for youth related matters. Concrete and dedicated efforts are being made to safeguard disadvantaged, vulnerable, and abused children in the education system and society at large.

With respect to the relationship between corporal punishment and children, it should be noted that with the introduction of Saint Lucia's Child Friendly Schools Programme, many educational institutions have embraced alternative methods of disciplining students, as opposed to the use of corporal punishment.

Furthermore, with the ongoing reform of the Juvenile Justice System, whereby laws pertaining to children and juveniles are being reviewed, one of the areas which will undoubtedly be considered is the use of corporal punishment on children. The issue of life imprisonment being applicable to minors is another area up for consideration under the current Juvenile Justice Reform process.

Mr. President,

The Government is currently in midst of considering whether further ordinary legislation addressing discrimination against persons due to their sexual orientation should be enacted, as suggested by the Constitutional Reform Commission. To this end, Labor Code Act (2006) makes it unlawful for an employer to dismiss or institute disciplinary action, against an employee based on sexual orientation.

Our country report emphasizes that all Saint Lucians including LGBTI persons are afforded full protection under the Constitution, as it provides 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 institute proceedings under the law.

In a further effort to safeguard its citizens, the government through the Royal Saint Lucia Police Force is currently engaged in the establishment of a unit to handle cases of sexual violence. This new unit will be headed by the Assistant Commissioner of Police and will

handle all matters pertaining to sexual violence inclusive of abuses against vulnerable groups including women and children.

In addition, the “National helpline” as indicated in the National Report does not deal solely with potential suicide cases but also other social and emotional issues. Therefore, the Hotline provides an avenue for victims of sexual abuse to speak freely, with the hope of receiving the requisite assistance. It is hoped that this would aid in allowing those persons who remain silent about their plight to come forward.

It should also be noted that during the preparation of our national report the Government consulted a wide cross-section of civil society. These consultations allowed for the Government to gauge the temperament of its people on a myriad of areas concerning human rights.

The Government was able to ascertain how policy decisions such as the provision of Five Hundred Dollar (\$500.00) grants to students entering Secondary School, has benefited parents and students alike; how the School Mentoring program has redirected the course of at risk youths and how women who could not ordinarily afford access to obstetric and maternal services, have been able to meet their healthcare needs.

Furthermore, following our requests for input from across civil society, contributions were received from nonprofit organisations, including RISE Saint Lucia Inc., and United and Strong which covered areas of Rights of Children and the LGBTI concerns respectively.

Mr. President,

Saint Lucia has made solid and in some instances significant progress in the area of health care as the government seeks to ensure that all persons, regardless of their socio-economic standing, have access to adequate, efficient and quality care. Considerable resources have

been dedicated to improving health services, facilities and available medical treatment, with special emphasis placed on women's health and HIV/AIDS.

Administration of Justice & the Rule of Law

Mr. President,

Our government is committed to ensuring the sustainability of a just society, governed by the rule of law.

Saint Lucia's current Constitution recognizes and emphasizes our intolerance for torture and cruel inhuman degrading treatment, not unlike the rights enshrined in the Universal Declaration on Human Rights. Our Criminal Code of 2008, specifically prohibits the use of excessive force by any member of society against another. In the sphere of public life, under the Integrity in Public Life Act of 2000, an Integrity Commission was created and tasked with receiving and investigating complaints against public officials.

The Government of Saint Lucia's commitment to the administration of justice and the rule of law, is further illustrated in our treatment of the issue of investigating cases of abuse by the police force. First, the provisions of the Criminal Code of 2008 which denounces the use of torture, physical abuse and excessive force applies as much to the use of force by the police as it does to any other ordinary citizen.

These provisions as referenced in our country report would have the effect of making a correctional officer serve up to seven (7) years in prison were they to use any form of torture on an inmate or were to intentionally or unlawfully cause any harm to an inmate in the course of his/her duties.

Second, amendments made to our Police Complaints Act in 2013 provides that the Minister with responsibility, be charged, with full rights to launch an investigation into any alleged incidences of abuse of force by any member of the police against any member of the public.

Further, the Police Complaints Act introduced a more thorough and transparent method of investigating alleged grievances brought forward by members of the public against the police. There is a two tiered approach to handling complaints as they must first filter through the Police Complaints Unit and then to the Police Complaints Commission. I wish to highlight the fact that the Complaints Commission is wholly independent from the police force, allowing for an unbiased assessment of the issues brought before it.

In September of this year the government introduced 'A Use of Force Policy' intended to ensure that proper practices are adhered to by the police force, it would also serve as a point of clarity to most officers as it will articulate exactly what it is they can and cannot do when it comes to the use of force on the job.

With respect to the status of the investigation of the alleged extra-judicial killings by the Royal Saint Lucia Police Force, as stated in our national report, the Government retained the assistance of the CARICOM Implementation Agency on Crime and Security (IMPACS) to further investigate the matter.

IMPACS produced a report, which was prepared by investigators of the Jamaica Constabulary Force. 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. 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.

Saint Lucia's commitment to its citizen's right to remedy and the effective administration of justice, has been met with hurdles along the way, as the workings of our legal system are crippled by financial, technical and human limitations and constraints, that result in insufficient judicial officers, court staff and court rooms.

This remains a limitation and a challenge going forward. We use this opportunity today to indicate that we would welcome the support of relevant agencies and friendly member states in the international community to assist Saint Lucia in our quest to overcome this hurdle.

Notwithstanding, we continue to work tirelessly to improve the situation, evidenced by that fact that two more judges were added to our judiciary with the aim of increasing the speed at which matters are handled.

Capital Punishment

The Constitutional Reform Committee's report currently before parliament addresses the issue of capital punishment. In the report the committee acknowledges that during the sensitization process amongst the public at large, persons shared very strong views for and against capital punishment. The committee's recommendation in this regard, is for the retention of Capital Punishment in our laws. The question is currently being deliberated in parliament, and a final decision on the matter has yet to be had.

Poverty and Socio-economic Issues

Mr. President,

The government of Saint Lucia has continued to champion poverty reduction and sustainable development through the introduction, extension and revamping of specific policies and programmes since our last review. One example of Saint Lucia's efforts rests in the recently introduced Social Protection Reform programme - an ambitious endeavour which seeks to first, improve on the identification of individuals who require social assistance and ensure that the assistance reaches those who are most in need. Second, the development of a management information system for social assistance programs, tasked with keeping all relevant information in a centralised location, to allow for easier access and dissemination of vital data.

The Government, through its Ministry of Social Transformation, Local Government and Community Empowerment, in tandem with the World Bank, recently completed an assessment of the appropriateness of the Government's institutional arrangements and the capacity of its human resources; in order to assess the effectiveness and efficiency of the delivery of social safety net programming.

The Government has noted the resulting recommendations and fully intends to assess and implement them accordingly in its quest for greater efficiency and effectiveness in all its operations of delivery of social services

Mr. President,

In the last four years, considerable progress has also been made in ensuring that adequate access to basic human rights including food, water and housing has been a priority of the Government. The Government's efforts in this regard was further heightened following the damaging impact of the 2013 Christmas Eve trough as mentioned earlier. The details of these initiatives are highlighted in our national report.

Mr. President my delegation submits this initial statement as a summary of our current situation and our initial response to questions posed by member states in advance of today. We pause now for the intervention by member states and look forward to the dialogue facilitated by this process.

Thank You

Conclusion

Mr. President,

As a nation we are humbled and note with appreciation the interest as expressed through the contributions submitted today by many member states, even at this stage my delegation wishes to place on record our country's intention to take cognizance of the recommendations made and concerns expressed. Saint Lucia counts itself privileged, and humbled by the opportunity to participate in this review process. We view this process as a fundamental instrument in our quest to secure and safeguard the human rights of all our citizens.

As a nation bereft of many natural resources, our most precious resource is that of our people. our human capital. Therefore, it is incumbent on the government to remain fully committed to safeguarding the rights of all our citizens. We are a young democracy; only 36 years old, and as a nation we are at a critical stage of our democratic development. The incorporation of the people centered 2030 agenda and the process of reforming our constitution will impact every citizen in Saint Lucia. The Governments yardstick for measuring the success of these processes is to ensure that the benefits to be derived will always be within the reach of our people, for this generation and generations to come.

We acknowledge that as we continue to grow as a nation, there remains work to be done with respect to our record on human rights. But it has to be placed on record that the Government of Saint Lucia remains fully committed to fulfilling our mandates and human rights obligations. Our challenges rest not in a lack of will or purpose but in a limitation of means. It is our hope that following this review, there is opportunity to engage the international community inclusive of UN Agencies on ways and means to assist Saint Lucia in mitigating some of our challenges aforementioned.

As history will inform the pursuit of Human Rights is not necessarily a fixed destination to be reached, but rather a continuous journey and evolution over time. For us the Universal Periodic Review is indeed a useful mechanism to assist Saint Lucia in keeping track of the work that we have already engaged in and highlight areas where obstacles slow us down, and hopefully garner support to overcome these challenges.

We conclude by reiterating that the Government of Saint Lucia remains resolute in its commitment to fully respect, secure and safeguard the human rights of all its citizens.

Thank you.