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Report of the Working Group on the Universal Periodic Review*

Saint Lucia

Addendum

Views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under review

* The present document was not edited before being sent to the United Nations translation services.

Ratifications

- 89.1. Saint Lucia accepts the recommendation, to consider ratification of the following human rights Conventions:
- (a) International Covenant on Civil and Political Rights (ICCPR),
 - (b) International Covenant on Economic, Social and Cultural Rights (ICESCR),
 - (c) Convention on the Rights of Persons with Disabilities,
 - (d) The United Nations Convention on Transnational Organised Crime (UNTOC) and,
 - (e) The Protocol to Prevent, Suppress and Punish Trafficking in Persons.
- 89.2. Saint Lucia accepts this recommendation to the extent and manner articulated at paragraph 1 above.
- 89.3. Saint Lucia accepts this recommendation to the extent and manner articulated at paragraph 1 above.
- 89.4. Saint Lucia accepts the recommendation to the extent and manner articulated at paragraph 1 above. Saint Lucia does not accept the aspect of the recommendation with regard to ratification of the Optional Protocol under the ICCPR.
- 89.5. Saint Lucia accepts the recommendation.
- 89.6. Saint Lucia accepts this recommendation to the extent and manner articulated at paragraph 1 above. Saint Lucia condemns any acts of torture, cruel, inhuman or degrading treatment or punishment, against any persons, as is clearly provided for in Saint Lucia's Constitution and in other domestic legislation.
- 89.8. Saint Lucia accepts this recommendation to the extent and manner articulated at paragraph 1 above. Saint Lucia also accepts this recommendation as relates to enactment of domestic laws.
- 89.9. Saint Lucia accepts this recommendation to the extent and manner articulated at paragraph 1 above. Saint Lucia will also consider the aspect of the recommendation as it relates to signing and ratifying the Optional Protocol on the Convention on the Elimination of All forms of Discrimination Against Women (CEDAW) and will consider signing and ratifying the Optional Protocols on the Convention of the Rights of the Child (CRC).
- 89.10. Saint Lucia accepts this recommendation to the extent and manner articulated at paragraph 1 above. With respect to the Optional Protocols of CEDAW and the CRC, reference is made to paragraph 9.
- 89.11. Saint Lucia accepts this recommendation to the extent and manner articulated at paragraph 1 above. Saint Lucia does not accept the aspect of the recommendation relating to Optional Protocols of the ICCPR. Regarding the Optional Protocols on Rights of the Child, reference is made to paragraph 9. On the Convention against Torture, Saint Lucia reiterates the comments in this regard, expressed at paragraph 6 above.
- 89.12. Saint Lucia accepts this recommendation to the extent and manner articulated at paragraph 1 above. With regard to the Optional Protocols, see reference at paragraph 11 above. Relevant comments at paragraph 6 are reiterated as regards the Convention against Torture.

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- 89.13. Saint Lucia accepts this recommendation in the manner articulated at paragraph 1 above; and with regard to the optional protocols, reiterates its' comments at paragraph 11 above.
- 89.14. Saint Lucia accepts this recommendation in the manner articulated at paragraph 1 above.
- 89.15. Saint Lucia accepts this recommendation in the manner articulated at paragraph 1 above.
- 89.16. Saint Lucia accepts this recommendation in the manner articulated at paragraph 1 above. Saint Lucia does not accept the aspect of the recommendation which relates to the Optional Protocol.
- 89.17. Saint Lucia accepts this recommendation to the extent and the manner articulated at paragraph 1 above. Regarding the Convention against Torture, paragraph 6 is hereby referenced. Regarding the Optional Protocol of CEDAW, paragraph 9 is referenced. Saint Lucia agrees to incorporate provisions of ratified instruments into domestic law.
- 89.18. Saint Lucia accepts this recommendation to the extent and manner articulated at paragraph 1 above. Saint Lucia does not accept the aspects of the recommendation relating to the Optional Protocols of the ICCPR and IESCR. Regarding the Optional Protocol of CEDAW, paragraph 9 is referenced. Regarding the Convention Against Torture paragraph 6 is referenced.
- 89.19. Saint Lucia accepts this recommendation.
- 89.20. Saint Lucia does not accept the recommendation as relates to the Optional Protocol as the Constitution of Saint Lucia and domestic legislation already contain provisions which safeguard the rights of all persons against Torture and other cruel, inhuman or degrading treatment or punishment. Saint Lucia condemns torture and violence against persons and will consider the necessity for establishing a National Preventative mechanism as recommended.
- 89.21. Saint Lucia accepts this recommendation as articulated in paragraph 9 above.
- 89.22. Saint Lucia accepts this recommendation.
- 89.23. Saint Lucia accepts this recommendation in the manner articulated at paragraph 1 above.
- 89.24. Saint Lucia does not accept this recommendation at this point in time due to capacity constraints.
- 89.25. Saint Lucia ratified the Rome Statute of the International Criminal Court in August 2010.
- 89.26. Saint Lucia is unable to consider this recommendation at this point in time, due to capacity and resource constraints. Saint Lucia aptly recognizes the issue of Genocide as a general human rights concern.
- 89.27. Saint Lucia accepts this recommendation in the manner articulated at paragraph 1 above. Anti-trafficking legislation, which especially safeguards the rights of women and children, was enacted in 2010. Saint Lucia agrees to strengthen cooperation with countries in the region, as recommended.

Legislative Framework

- 89.28. Saint Lucia accepts the recommendation and also notes that many provisions of the Convention are currently being implemented through a plethora of existing legislation.
- 89.29. Saint Lucia accepts the recommendation, to the extent referenced at paragraph 30 below.
- 89.30. Saint Lucia accepts this recommendation, to the extent referenced at paragraphs 81–84 below.
- 89.31. Saint Lucia accepts the recommendation.
- 89.32. Saint Lucia accepts this recommendation, and informs that this matter is currently being addressed through the sub-regional framework of the OECS.
- 89.33. Saint Lucia accepts the recommendation, but reiterates comments expressed at paragraphs 81–84 below.
- 89.34. Saint Lucia accepts the recommendation.
- 89.35. Saint Lucia is unable to fully accept this recommendation at this point in time, insofar as the term/language “sexual orientation” still requires standard international definition. Otherwise, the constitution of Saint Lucia guarantees the protection of fundamental rights and freedoms to all Saint Lucians, in a similar manner as contained in the Universal Declaration of Human Rights.

Strengthening of Human Rights Institutions

- 89.36. Saint Lucia accepts the recommendation and notes that The Integrity Commission, established by virtue of the Integrity in Public Life Act (2004), is already empowered to receive and investigate complaints against public officials.
- 89.37, 89.38, 89.39.
- Saint Lucia notes that the office of the Parliamentary Commissioner/Ombudsman established under the constitution, positively functions to protect citizens against violations of their fundamental rights. Saint Lucia will consider strengthening the Ombudsman’s office as a more feasible option at this time. Saint Lucia, is willing to cooperate with special procedures when called upon to do so.
- 89.40. Saint Lucia accepts the recommendation, and is already acting accordingly.
- 89.41. Saint Lucia accepts the recommendation and notes that significant strides have already been made in this direction.
- 89.42. Saint Lucia accepts the recommendation, and is already acting accordingly.

Marginalised Youth

- 89.43, 89.44, 89.45.
- Saint Lucia accepts these recommendation and is already acting accordingly.
- 89.46. Saint Lucia accepts the recommendation.

Children

- 89.47. Saint Lucia accepts the recommendation and will continue to act accordingly.
- 89.48. Saint Lucia accepts the recommendation and informs that legislative reforms are on-going in this direction.
- 89.85. Saint Lucia accepts this recommendation. The Labor Code of 2006, soon to be implemented, addresses nearly all of concerns regarding child labour, and conditions of work. The Code devotes an entire section to the employment of children and young persons.
- 89.91. Saint Lucia accepts the recommendation.
- 89.103. Saint Lucia accepts the recommendation and will continue to act accordingly.
- 89.107. Saint Lucia accepts the recommendation and will continue to act accordingly.

Standing Invitations to special procedures

89.50, 89.51, 89.52, 89.53, 89.54, 89.55, 89.56.

Saint Lucia accepts the recommendations on standing invitations, to the extent required by the United Nations, to effectively execute its' mandate, in keeping with Saint Lucia's international obligations.

Gender

- 89.58. Saint Lucia accepts the recommendation, and will continue to act accordingly.
- 89.59. Saint Lucia accepts the recommendation. Saint Lucia has already made significant strides in this direction, and stereo-typical attitudes are becoming far less prevalent.
- 89.60. Saint Lucia accepts the recommendation. Paragraph 59 is reiterated.
- 89.61. Saint Lucia accepts the recommendation and notes that significant efforts have already been undertaken, through the implementation of legislation and policy, to positively guarantee the equality of these rights.
- 89.62. Saint Lucia accepts the recommendation and reiterates paragraph 61 above. Saint Lucia notes significant have been made with respect to violence against women.
- 89.63. Saint Lucia accepts the recommendation and states that it is already acting accordingly.

Death Penalty

89.64, 89.65, 89.66, 89.67, 89.68, 89.69, 89.70, 89.71.

Saint Lucia does not accept these recommendations. Saint Lucia's political system is one of a constitutional democracy, and the current views of its' population are not supportive of abolition of the death penalty. Saint Lucia does note however, that the country has not performed any executions within the last 15 years.

Torture

- 89.72. The Constitution of Saint Lucia contains provisions that protect its citizens from any form of torture or inhumane treatment. Further protections against any other forms of violence are to be found within the Criminal Code of Saint Lucia. Saint Lucia condemns any forms of violence against persons, and will continue to prosecute persons who violate such rights of others. Saint Lucia accepts the recommendation, and notes that it is already being implemented. Paragraph 73 below is reiterated.
- 89.73. Saint Lucia accepts the recommendation, and notes that it is already being implemented, utilising all available resources.

Women and violence

- 89.74. Saint Lucia accepts the recommendation and will continue its efforts in this direction. Paragraphs 61 and 62 above are repeated.
- 89.75. Saint Lucia accepts the recommendation.
- 89.76. Saint Lucia accepts the recommendation. With regards to guaranteeing shelters for victims and free social and legal assistance, Saint Lucia will continue these efforts utilising all available resources.
- 89.77. Saint Lucia accepts the recommendation. Saint Lucia notes that the Women Support Centre was established in 2001 to provide a safe shelter for women who have to flee from their homes as a result of domestic violence. The centre facilitates the provision of temporary safe housing, legal support and counselling. Serious efforts are also made to provide clients at the centre with a measure of financial independence through job placement and training to obtain skills for employment. Clients are also assisted with accessing permanent housing in an effort to help improve the quality of their lives and enable them to take advantage of opportunities where they can maintain themselves and their children. The Government intends to continue efforts to ensure that all women have access to all resources, and necessary protections to enable them to live their lives free from violence and the fear of violence.
- 89.78. Saint Lucia accepts the recommendation and will continue to act accordingly.
- 89.79. Saint Lucia accepts this recommendation and will continue to act accordingly.
- 89.80. Prostitution is unlawful in Saint Lucia and the Government does not condone this activity. There is no official data or research, confirming or supporting a link between prostitution and the tourism industry. Consequently, there is a need for research to be conducted to determine the scope of this issue, before the recommendation can be actively considered.

Corporal Punishment

89.81, 89.82, 89.83, 89.84.

Saint Lucia is unable to accept these recommendations at this time. Saint Lucia recognizes the need to pursue alternative forms of discipline to corporal punishment. Amending the legislation which allows the use of corporal punishment remains a formidable challenge as non-violent corporal punishment is rooted in our tradition and culture. The government will continue efforts to

promote positive, participatory and alternative forms of discipline in a manner consistent with the CRC (while respecting the right of parents to choose how to discipline their children, in conformance with human rights standards). The Government supports, and will continue to implement a gradual phasing out of corporal punishment and has already commenced this program within schools. The Government will intensify efforts to raise public awareness on this issue.

Police and Criminal Justice

- 89.86. Saint Lucia accepts the recommendation and has already implemented it to a large extent. The Police Complaints Act (2003) established the Police Complaints Commission and Police Complaints Unit. The Complaints Unit receives, investigates and determines complaints and other related matters by the public against the police. The Commission is an independent body that oversees the complaints process. Saint Lucia will intensify efforts to adequately regulate this field.
- 89.87. Saint Lucia accepts the recommendation on the understanding that it is not a serious and prevalent problem. Allegations of excessive use of force against suspects and prisoners are exceptional. Training is already provided to Officers in such areas. Saint Lucia submits and will intensify its' efforts in this regard.
- 89.89. Saint Lucia accepts the recommendation and submits that it is already being implemented to some extent.
- 89.90. Saint Lucia accepts the recommendation and notes that it is already being implemented to a significant extent.

Sexual Orientation

- 89.88. Saint Lucia accepts the recommendation on the understanding that all reported allegations of violence are thoroughly and promptly investigated, using all available resources. Saint Lucia condemns all forms of violence and human rights violations committed against all persons, including those of different sexual orientation.
- 89.92, 89.93, 89.94, 89.95, 89.96.
- Saint Lucia cannot accept these recommendations at this time, due to contrary legislative provisions, and deeply entrenched societal mores and values which are still to be overcome. Saint Lucia is currently in the process of constitutional reform and will continue to progressively amend its laws in keeping with the country's development and democratic processes. Saint Lucia will endeavor to raise public awareness, with regard to discrimination against any persons, where such discrimination occurs.
- 89.97. Saint Lucia accepts the recommendation and notes that the Government condemns all forms of violence and human rights violations committed against all persons. Saint Lucia notes that there are no known cases in Saint Lucia, where violence has been perpetrated against any human rights defenders.

Poverty/Socio-Economic issues

- 89.98. Saint Lucia partially accepts the recommendation, and is already acting accordingly. Saint Lucia does not accept the basis of the recommendation which refers to “just distribution of national wealth.”
- 89.99. Saint Lucia accepts the recommendation and is already acting accordingly, utilising all available resources.
- 89.100. Saint Lucia accepts the recommendation and will continue to act accordingly.
- 89.101. Saint Lucia accepts the recommendation and will continue to act accordingly.
- 89.102. Saint Lucia accepts the recommendation and will continue to act accordingly.

Health, HIV/AIDS

- 89.104. Saint Lucia will consider the recommendation, and is already making strides in this direction.
- 89.105. Saint Lucia accepts the recommendation and notes that it is already acting accordingly.
- 89.106. Saint Lucia accepts the recommendation and will continue to act accordingly.

Minorities

- 89.108. Saint Lucia accepts this recommendation on the understanding that it does not exclude or discriminate against Kweyol speaking members of the community. Saint Lucia notes that the kweyol language is part of the culture and history of the country, and that deliberate efforts are made through various activities, to preserve the traditions, culture and history of Saint Lucia. Saint Lucia will continue to act accordingly.

International Assistance

- 89.111. Saint Lucia accepts the recommendation and will consider accordingly.
- 89.112. Saint Lucia accepts the recommendation.
- 89.113. Saint Lucia accepts the recommendation.
- 89.114. Saint Lucia accepts the recommendation.

Miscellaneous

- 89.49. Saint Lucia accepts the recommendation.
- 89.7. Saint Lucia accepts the recommendation regarding accession to international instruments, to the extent articulated at paragraph 1 above. Saint Lucia accepts the remaining aspects of the recommendation.
- 89.57. Saint Lucia does not accept this recommendation or any phenomenon of racial discrimination as prevalent. Saint Lucia further states that the existence of a distinctive indigenous population is not supported by any research or existing data. Saint Lucia does not condone discrimination in any form against any persons, or

group of persons. Chapter 1 of the Constitution guarantees fundamental freedoms to all persons irrespective of race, place of origin, colour, religion etc.

89.109. Saint Lucia does not accept the recommendation owing to resource constraints and national priorities.

89.110. Saint Lucia accepts the recommendation.

89.115. Saint Lucia accepts the recommendation.

89.116. Saint Lucia accepts the recommendation.
