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Universal periodic review

## Report of the Working Group on the Universal Periodic Review\*

### Saint Lucia

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\* The annex is being circulated in the language of submission only.

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## Introduction

1. The Working Group on the Universal Periodic Review, established in accordance with Human Rights Council resolution 5/1, held its twenty-third session from 2 to 13 November 2015. The review of Saint Lucia was held at the 7th meeting, on 5 November 2015. The delegation of Saint Lucia was headed by the Permanent Representative of Saint Lucia to the United Nations in New York, Menissa Rambally. At its 14th meeting, held on 10 November 2015, the Working Group adopted the report on Saint Lucia.

2. On 13 January 2015, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of Saint Lucia: Brazil, Ethiopia and Ireland.

3. In accordance with paragraph 15 of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21, the following documents were issued for the review of Saint Lucia:

(a) A national report submitted/written presentation made in accordance with paragraph 15 (a) (A/HRC/WG.6/23/LCA/1);

(b) A compilation prepared by the Office of the United Nations High Commissioner for Human Rights (OHCHR) in accordance with paragraph 15 (b) (A/HRC/WG.6/23/LCA/2);

(c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/23/LCA/3).

4. A list of questions prepared in advance by Kenya, Liechtenstein, Mexico, Slovenia, Spain and the United Kingdom of Great Britain and Northern Ireland was transmitted to Saint Lucia through the troika. These questions are available on the extranet of the Working Group.

## I. Summary of the proceedings of the review process

### A. Presentation by the State under review

5. The delegation opened by stating that the second review of Saint Lucia had occurred in the context of two significant ongoing democratic processes that had had an impact on the human rights and fundamental freedoms of its citizens: a constitutional reform and the incorporation of the 2030 Agenda for Sustainable Development into national development plans.

6. The constitutional reform, which had for years been in progress, through successive Governments, sought to bridge the gap between democracy and the fundamental Charter and to bring that document in line with the island's changing social and political circumstances. Regarding the 2030 Agenda, the delegation noted that the Government believed that the security of the rights and well-being of all its citizens was an important pillar in the country's development.

7. Since its first review, Saint Lucia had experienced a series of challenges that had affected the Government's ability to maintain the balance between meeting its international human rights obligations and responding to emerging crises that required the Government to safeguard its citizens from immediate harm.

8. The delegation acknowledged that the Government faced challenges in implementing its obligations and the recommendations previously received. Aside from the

impact that the constitutional reform and other processes had on informing the Government's priorities, the real and immediate challenge was that of the limitations in terms of human and technical capacity. For instance, the legal department of the Ministry of External Affairs, International Trade and Civil Aviation was staffed with just one legal officer, who had the responsibility for all legal matters across all three of the Ministry's portfolios. The capacity of the Attorney General's Chambers was also limited to one legislative drafter.

9. Nonetheless, the delegation expressed its intention to announce, by the thirty-first session of the Human Rights Council, further achievements in the area of human rights. For instance, the formal process towards the ratification of the amendments to the Rome Statute of the International Criminal Court adopted in Kampala in 2010 had started. Also, work was under way to establish a centralized database to manage international instruments, which would allow easier access to information concerning the obligations of Saint Lucia, thus assisting in the processing of reports.

10. Since independence, the participation of women in key sectors of society had been significant. According to a report of the International Labour Organization dated January 2015, 52.3 per cent of managerial positions in Saint Lucia were held by women. Moreover, the constitutional reform process was headed by a female justice.

11. Endeavours such as the Women in Equality Empowerment Programme, the complete revamping of the education system through the Education Act of 1999 and the active participation of women at the helm in both the public and private sectors, were further evidence of the Government's commitment to ensuring equality.

12. With the goal of sustaining the principle of equity between men and women, Saint Lucia affirmed its commitment to the full implementation of all the provisions enshrined in the Convention on the Elimination of All Forms of Discrimination against Women.

13. The Government guarded jealously its role as protector of children, leading it to guide and shape national policies and efforts to protect the vulnerable and ensure equal opportunities for children in all parts of the country.

14. In 2012, the National Action Child Protection Committee was established with the goal of coordinating and reporting on the implementation of the Convention on the Rights of the Child. The Government intended to provide the Committee with adequate human, technical and financial resources to enable it to effectively implement and coordinate comprehensive, coherent and consistent policies for protecting the rights of the child, in line with the State's obligations.

15. A child-friendly budgeting approach had been introduced under the auspices of the Ministry of Finance to increase and better allocate funding for youth-related matters. Concrete and dedicated efforts were being made to safeguard disadvantaged, vulnerable and abused children in the education system and in society at large.

16. With respect to the use of corporal punishment on children, the delegation noted that, with the introduction of a child-friendly schools programme, many educational institutions had embraced alternative methods of disciplining students.

17. The use of corporal punishment on children would also be considered in the context of the ongoing reform of the juvenile justice system, together with the issue of sentencing minors to life imprisonment.

18. The Government was considering enacting ordinary legislation addressing discrimination on the grounds of sexual orientation, as suggested by the Constitutional Reform Commission. To that end, the Labour Code Act of 2006 made it unlawful for an

employer to dismiss or institute disciplinary action against an employee on the basis of sexual orientation.

19. In the national report it was emphasized that all Saint Lucians, including lesbian, gay, bisexual, transgender and intersex persons, were afforded full protection under the Constitution, as it provided judicial redress to any individual alleging that his or her fundamental rights had been or were likely to be contravened.

20. Additionally, the Government was establishing a police unit to handle cases of sexual violence. The unit would be headed by the Assistant Commissioner of Police and handle all matters pertaining to sexual violence, including cases of abuse against vulnerable groups such as women and children.

21. As indicated in the national report, Saint Lucia had a national helpline that did not deal only with potential cases of suicide but also with other social and emotional issues. The helpline made it possible for victims of sexual abuse to speak freely and seek the requisite assistance.

22. During the preparation of the national report, the Government consulted a wide cross-section of civil society, which allowed it to gauge the opinion of its people on myriad areas concerning human rights.

23. The Government was able to ascertain how policy decisions such as the provision of grants of 500 East Caribbean dollars to students entering secondary school had benefited parents and students alike, how the school mentoring programme had corrected the course of at-risk youths and how women who could not ordinarily afford obstetric and maternal services had been able to meet their health-care needs.

24. Furthermore, following the Government's requests for input from across civil society, contributions were received from non-profit organizations such as Rise Saint Lucia Inc. and United and Strong, which advocated the rights of children and lesbian, gay, bisexual, transgender and intersex persons, respectively.

25. Saint Lucia had made solid progress in the area of health care. The Government sought to ensure that all persons, regardless of their socioeconomic standing, had access to adequate, efficient and quality care. Considerable resources had been dedicated to improving health services, facilities and available medical treatment, with special emphasis placed on women's health and HIV/AIDS.

26. The Constitution reflected the Government's intolerance for torture and the 2008 Criminal Code specifically prohibited the use of excessive force by any member of society against another. Under the Integrity in Public Life Act of 2000, a commission was created and tasked with receiving and investigating complaints against public officials.

27. Furthermore, the provisions of the Criminal Code denouncing the use of torture, physical abuse and excessive force applied as much to the police as it did to any ordinary citizen. In line with those provisions, a correctional officer using any form of torture on an inmate could serve up to seven years in prison.

28. Amendments made to the Police Complaints Act of 2013 provided the Minister of Home Affairs and National Security with the power to launch an investigation into any alleged incidence of abuse of force by any member of the police against any member of the public. The Act also introduced a more thorough and transparent method of investigating alleged grievances brought forward by members of the public against the police. A two-tiered approach to handling complaints was established whereby complaints had to first filter through the Police Complaints Unit and then to the Police Complaints Commission, which is wholly independent from the police.

29. With respect to the alleged extrajudicial killings by the Royal Saint Lucia Police Force, the delegation recalled that the Government had obtained the assistance of the Caribbean Community (CARICOM) Implementation Agency for Crime and Security to further investigate the matter.

30. The Implementation Agency had produced a report prepared by investigators of the Jamaica Constabulary Force. In March 2015, the Prime Minister made a statement on the matter, providing general information on the findings of the investigation and indicating that the report had been passed on to the Office of the Director of Public Prosecutions, which handled all criminal prosecutions. He noted that the Government would provide all the resources necessary to assist the Crown Prosecution Service in pursuing the matter.

31. The delegation considered that the commitment of Saint Lucia to its citizens' right to remedy and the effective administration of justice had met with hurdles along the way, as the workings of the legal system were crippled by financial, technical and human limitations, which had resulted in insufficient judicial officers, court staff and court rooms. The delegation indicated that the support of relevant agencies and friendly States was most welcome.

32. On capital punishment, the Constitutional Reform Committee acknowledged, in its report before Parliament, that during the process to raise awareness among the public at large very strong views for and against capital punishment had been expressed. The Committee recommended keeping capital punishment. The question was currently being debated in Parliament and a final decision on the matter was pending.

33. The Government had continued to champion poverty reduction and sustainable development through specific policies and programmes since the previous review. One example was the recently introduced social protection reform programme, which made it easier to identify individuals requiring social assistance and ensured that the assistance reached those most in need, and the development of a management information system for social assistance programmes aimed at keeping all relevant information in one location.

34. Also, the Government, in tandem with the World Bank, had completed an assessment of the effectiveness and efficiency of the delivery of social safety net programmes. The Government intended to implement the resulting recommendations.

## **B. Interactive dialogue and responses by the State under review**

35. During the interactive dialogue, 44 delegations made statements. Recommendations made during the dialogue are to be found in section II of the present report.

36. Portugal welcomed the ratification by Saint Lucia of two optional protocols to the Convention on the Rights of the Child, while expressing concern that provisions of the Convention had not been fully incorporated into domestic legislation. Portugal also commended Saint Lucia for signing the International Covenant on Civil and Political Rights and the Convention on the Rights of Persons with Disabilities. Portugal made recommendations.

37. Sierra Leone applauded the efforts to improve the water supply situation. It urged that children and youth with learning disabilities be included in all educational programmes. Sierra Leone commended the enactment of the Police Complaints Act and encouraged speedy implementation of the "use-of-force policy" for the Royal Saint Lucia Police. It encouraged integrating the Convention on the Rights of the Child into domestic law; mandating the National Action Child Protection Committee to guarantee the minimum age of criminal liability and to deal with discrimination against children born out of wedlock, juvenile justice and corporal punishment; and ratifying the Optional Protocol to

the Convention on the Rights of the Child on a communications procedure. Sierra Leone enquired on the role that civil society played in addressing human rights. and. It made recommendations.

38. Slovenia welcomed the adoption by Saint Lucia of programmes to include marginalized youth in education and to reduce the number of dropouts. Slovenia commended Saint Lucia for engaging in awareness-raising activities against corporal punishment as well as training sessions and parenting programmes to promote alternative forms of punishment, while it remained concerned that corporal punishment remained legal. Slovenia expressed concern at the persistence of child labour and at the lack of a constitutional prohibition of discrimination on the basis of sexual orientation and gender identity, which meant that lesbian, gay, bisexual, transgender and intersex persons could be persecuted and harassed. Slovenia noted with regret that Saint Lucia had still not become a party to several core human rights treaties. Slovenia made recommendations.

39. South Africa was encouraged that Saint Lucia intended to meet its obligations on the ratification of international instruments and on reporting, despite capacity constraints. South Africa welcomed the major strides made in ensuring the empowerment of women and the fact that women in rural areas had better access to education and vocational training programmes. It also welcomed the affirmation of the rights of all children to receive an education and the prohibition of students being refused admission to schools on discriminatory grounds. South Africa was encouraged by the fact that the Constitution of Saint Lucia prohibited discrimination on the basis of sex, race, place of origin, political opinion, colour or creed. It made recommendations.

40. Spain recognized the efforts and proactive policies of Saint Lucia for the recognition and protection of human rights, including the ratification of two of the optional protocols to the Convention on the Rights of the Child and the signature of International Covenant on Civil and Political Rights and the Convention on the Rights of Persons with Disabilities. Spain expressed its appreciation for the non-application of the death penalty in Saint Lucia and for the Government's efforts to combat gender discrimination. Spain made recommendations.

41. Trinidad and Tobago noted with satisfaction that, since the first universal periodic review, in 2011, Saint Lucia had increased its commitment to the protection and promotion of human rights, despite the lack of financial and technical resources. Trinidad and Tobago was pleased to note the legislative advances made to protect the rights of children and, in particular, the establishment of the National Action Child Protection Committee in 2012. Trinidad and Tobago made recommendations.

42. The United States of America noted that certain actions had been taken to reform the police force since extrajudicial killings allegedly took place in 2010-2011. The United States remained deeply concerned at the apparent continued impunity for officers possibly involved in those alleged killings, and the resulting lack of accountability and diminished respect for law enforcement and the rule of law. It asked whether, in line with the Prime Minister's address in March, a special investigative committee had been established to investigate those allegations and implement the recommendations in the report of the CARICOM Implementation Agency for Crime and Security. It remained concerned at the criminalization of same-sex sexual conduct between consenting adults, which contributed to pervasive discrimination against lesbian, gay, bisexual, transgender and intersex persons. It made recommendations.

43. Uruguay praised Saint Lucia for acceding to the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, ratifying two optional protocols to the Convention on the Rights of the Child and signing the International

Covenant on Civil and Political Rights. It welcomed the efforts of the Government to ensure the full realization of the right to drinking water and the measures adopted on gender equality. It welcomed the promotion of male participation in child care, the efforts to improve access to education and the provision of free obstetric and maternal and child health services. Uruguay made recommendations.

44. The Bolivarian Republic of Venezuela considered that the participation of Saint Lucia in the universal periodic review was a clear demonstration of its commitment to human rights and appreciated the efforts to implement the recommendations accepted during the first review. Saint Lucia had implemented major legislative and administrative measures that had strengthened its framework for protecting human rights, including the accession to the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, and the subsequent enactment of the law against trafficking. Despite the impact of the economic crisis, Saint Lucia had undertaken initiatives to reduce poverty, such as the programme providing medical aid and care to more than 2,400 poor households. The Bolivarian Republic of Venezuela made recommendations.

45. Algeria appreciated efforts made to improve the economic situation in Saint Lucia, in spite of the consequences of the economic crisis, and to improve social security. It called upon the international community to provide the technical and capacity-building assistance necessary to enable Saint Lucia to take up the challenges related to human rights promotion and protection. Algeria made recommendations.

46. Argentina congratulated Saint Lucia for the 2013 campaign promoting universal and free birth registration. Argentina noted with concern the persistence of sexual abuse of children, despite the measures taken by the authorities. Argentina made recommendations.

47. Armenia appreciated the steps taken to promote women's rights and combat trafficking in persons, as well as the signature and ratification of a number of human rights instruments since the first review of Saint Lucia. Armenia noted that a number of core international human rights instruments and treaties still remained to be ratified. Armenia also noted that, despite some progress in promoting the rights of the child, there were many cases of child abuse and neglect in the country. Armenia made recommendations.

48. Australia commended Saint Lucia for signing the Convention on the Rights of Persons with Disabilities and acknowledged the positive steps taken to reduce poverty and foster economic growth. Australia remained concerned at ongoing sexual and gender-based violence in Saint Lucia, including against minors. It asked about the steps taken to address discrimination on the grounds of sexual orientation and gender identity since the previous periodic review. Australia called on Saint Lucia to promote equality and non-discrimination. While noting that the death penalty had reportedly not been imposed in Saint Lucia since 1995, Australia expressed concern that the penalty still existed in legislation. Australia made recommendations.

49. Bahamas was pleased to note that, despite the challenges faced by Saint Lucia, significant strides had been made to ensure that the basic human rights of Saint Lucians were protected. Bahamas welcomed the numerous national policies, programmes, plans and initiatives undertaken and envisaged in such critical areas as housing, food security, social protection, education and health. Bahamas noted the positive trajectory on women's empowerment, particularly with respect to the participation of women in politics. Bahamas expressed appreciation for the steps taken by Saint Lucia to establish partnerships, both on a bilateral basis and with various United Nations funds, programmes and specialized agencies, to support government efforts to promote and protect human rights. Bahamas made a recommendation.

50. Barbados noted the severe constraints placed on small States to meet their obligations under the human rights instruments, notwithstanding the paucity of financial,



administrative and technical resources. Barbados commended Saint Lucia for having a Constitution that afforded all persons protection against violence and applauded the efforts made to bring women, especially women in rural areas, into the mainstream of society by improving their access to educational and vocational training opportunities. Barbados noted the attention given to enhancing the security of citizens with the enactment of the Police Complaints Act, which provides for an independent investigation of cases of excessive use of force alleged by members of the public. Barbados made a recommendation.

51. Maldives expressed its understanding for the challenges and constraints faced by Saint Lucia as a small island developing State and applauded the commendable progress made. It was pleased to see that gender equality had been addressed through numerous initiatives, most notably through education, to ensure women achieve higher levels of empowerment. It congratulated Saint Lucia for its work on ameliorating the health sector, for example the establishment of the National Action Child Protection Committee in 2012. Furthermore, it commended the introduction of the Single Mothers in Life Enhancement Skills programme in 2012 and the National Social Protection Policy in 2015. It appreciated efforts made to address issues related to the education of children. Maldives made recommendations.

52. Canada noted that Saint Lucia had accepted the recommendation made by Canada in the context of the previous universal periodic review to ensure the prompt and thorough investigation of alleged acts of violence against individuals because of their sexual orientation. Canada requested an update on progress in that regard. It made recommendations.

53. Chile drew attention to the implementation of social programmes for improving the quality of life of Saint Lucians, including the implementation of a vast housing programme and the expansion of access to safe water and sanitation. Chile valued the measures to alleviate discrimination against the lesbian, gay, bisexual and transgender population. Chile made recommendations.

54. Colombia noted the commitment of Saint Lucia to implement the recommendations received during the first cycle of the universal periodic review and welcomed the establishment, in 2012, of the National Action Child Protection Committee. It also praised the work to create a universal health insurance. Colombia made available to Saint Lucia its experience in the field of human rights. Colombia made recommendations.

55. Costa Rica recognized the economic and institutional constraints faced by Saint Lucia to meet many of its international obligations and welcomed the constructive spirit of the Government during the universal periodic review. It expressed concern about the underrepresentation of women in political decision-making positions and the weakness of the justice system, which should be strengthened within the framework of a progressive development of human rights institutions. Costa Rica considered that Saint Lucia could benefit from technical assistance and cooperation with the universal human rights system and hoped that the Government would gradually further interact with it, for instance, through the ratification of additional international human rights agreements. Costa Rica made recommendations.

56. Cuba thanked Saint Lucia for its national report, which demonstrated its authorities' commitment to the universal periodic review. Cuba welcomed the efforts made to further improve the economic, social and cultural rights of the population, such as the adoption of a food security policy aimed at reducing hunger and providing greater access to affordable, nutritious and quality food, the policy and national strategic action plan for housing and the continued implementation of the public assistance programme. Cuba noted the progress made to empower women and the increased efforts made to promote and protect the rights

of vulnerable groups such as persons with disabilities and the elderly. Cuba made recommendations.

57. Denmark commended Saint Lucia for its engagement in the universal periodic review and for having demonstrated progress in the protection and promotion of human rights since the previous cycle. Denmark noted that Saint Lucia had taken note, during its first review, of the recommendation to ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. Denmark held the strong hope that Saint Lucia would join the 158 States who were currently parties to that Convention. Denmark welcomed the engagement of Saint Lucia in the recent seminar in Costa Rica organized by the Convention against Torture Initiative, and hoped that the Initiative — which promoted exchanges and cooperation among Governments — could continue being useful to the Government of Saint Lucia in making progress on that issue. Denmark made recommendations.

58. Djibouti welcomed the progress made in implementing the recommendations accepted by Saint Lucia during the previous universal periodic review and noted the human rights achievements. It encouraged Saint Lucia to implement its National Strategic Plan for Health. Djibouti made recommendations.

59. Ecuador commended the ratification of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography and the adoption of policies to promote and protect the rights of vulnerable groups, including persons with disabilities and elderly persons. Ecuador praised the Government's efforts to combat extreme poverty, in particular the 2014 policy on food security and nutrition, providing greater access to affordable, nutritious, safe and quality food. Ecuador made recommendations.

60. France made a statement and recommendations.

61. Georgia welcomed the signature by the Government of Saint Lucia of the International Covenant on Civil and Political Rights and of the Convention on the Rights of Persons with Disabilities, and encouraged Saint Lucia to ratify the latter. Georgia commended the efforts of the Government to address difficulties related to access to food. Georgia made recommendations.

62. Germany commended Saint Lucia for ratifying two optional protocols to the Convention on the Rights of the Child and for its efforts to introduce various bills as part of the Family Law and Domestic Violence Legal and Judicial Reform Project of the Organisation of Eastern Caribbean States. Germany expressed concern that consensual sexual activities between adults of the same sex continued to be illegal, even though there seemed to have been no convictions in the recent past. Germany considered it unfortunate that Saint Lucia had failed to raise awareness about discrimination against people on the ground of their sexual orientation, despite accepting a recommendation to do so during its previous review. Germany made recommendations.

63. Ghana applauded Saint Lucia for having accepted, during its previous review, the recommendations to ratify a number of important treaties, including the Rome Statute of the International Criminal Court. Ghana was concerned at reported allegations of extrajudicial killings by the police, as well as of gender-based violence and discrimination against women. Ghana made recommendations.

64. Guatemala welcomed the establishment, in 2012, of the National Action Child Protection Committee; the adoption, in 2010, of a law to combat trafficking; and the adoption, in 2014, of a policy on food security and nutrition. Guatemala shared the view of the Committee on the Rights of the Child regarding the importance of having an independent human rights national monitoring mechanism in accordance with the

principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles). Guatemala reiterated the Committee's concern on the situation of children of immigrants, especially undocumented immigrants, as well as the obstacles and discrimination they face. Guatemala made recommendations.

65. Haiti applauded the hard work done by Saint Lucia, despite resource constraints, to advance human rights. It made recommendations.

66. Indonesia commended Saint Lucia for ratifying two optional protocols to the Convention on the Rights of the Child and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, as well as for considering the establishment of a national task force on trafficking in persons. Indonesia noted the challenges facing the Government and noted the efforts made to combat acts of torture and cruel, inhuman or degrading treatment, which had become a national priority. Indonesia made recommendations.

67. The Saint Lucian delegation highlighted that the Government had ratified or acceded to five international instruments that had been the object of recommendations during the first review. It recognized that a number of ratifications were still outstanding and expressed the Government's full commitment to completing them in due course. Saint Lucia would continue to welcome the input of friendly States willing to support its efforts towards ratification.

68. The delegation reiterated the commitment of Saint Lucia concerning the rights of the child and its continued efforts to ensure that every child was protected and treated equally.

69. Saint Lucia appreciated comments made by delegations that recognized its limitations and called for support and cooperation from States in achieving full implementation.

70. Ireland appreciated targeted training and awareness-raising campaigns on child sexual abuse and gender equality. It urged Saint Lucia to ratify several core human rights treaties and to request technical assistance to overcome capacity constraints. It also urged Saint Lucia to extend a standing invitation to special procedure mandate holders and to establish a national human rights institution in accordance with the Paris Principles. It expressed concern about reports of extrajudicial killings and about the continued role played by police officers in determining complaints against the police, in line with the Police Complaints Bill. Ireland recognized the legal and constitutional reforms. It encouraged further steps to prohibit discrimination on the basis of sexual orientation and to decriminalize consensual same-sex relations. Ireland made recommendations.

71. Jamaica noted the efforts made to improve access to food, water and housing. It commended Saint Lucia for its determination to address issues related to the reporting and coordination of human rights, by soliciting assistance from the United Nations Development Programme. It applauded initiatives such as the introduction of recorded testimonies of vulnerable witnesses by video link, the planned introduction of a "use-of-force policy" for the police, the launch of a child disability grant and the establishment of a vulnerable persons team within the police and of a national health helpline. Jamaica commended Saint Lucia for utilizing regional mechanisms to pursue its human rights agenda, which demonstrates confidence in expertise available in the Caribbean region and augurs well for the continued sharing of best practices. Jamaica made recommendations.

72. Brazil congratulated Saint Lucia for joining, in 2014, the Zero Hunger Challenge in collaboration with the Food and Agriculture Organization of the United Nations and the Government of Brazil. Brazil believed Saint Lucia was on the right path by gearing its agricultural production to food security, involving all relevant stakeholders from both the public and private sectors. Brazil was pleased that Saint Lucia had signed important human

rights instruments such as the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, the International Covenant on Civil and Political Rights and the Convention on the Rights of Persons with Disabilities, and that it had ratified two optional protocols to the Convention on the Rights of Child. Brazil made recommendations.

73. Mexico welcomed the adoption of a social policy to assist vulnerable groups, while recognizing the resource constraints faced by the Government of Saint Lucia. Mexico welcomed the adoption of a food security policy. It noted the efforts to modernize the health infrastructure and to improve access to housing and water supply services. Mexico praised the implementation of the labour code as well as the drafting of bills on the rights of children and domestic violence. Mexico urged Saint Lucia to continue efforts to strengthen the legal system and welcomed the information provided during the interactive dialogue on the parliamentary debate on the death penalty. It made recommendations.

74. Montenegro commended efforts made to strengthen the institutional and strategic human rights framework. It welcomed activities to prevent domestic and gender-based violence through the establishment of a women's support centre for victims and the conduct of awareness-raising campaigns and training programmes aimed at empowering victims, including children, to report sexual offences. In that context, it appreciated the broad multisectoral approach. Montenegro noted the concerns of the Committee on the Rights of the Child and asked Saint Lucia whether action had been taken to effectively monitor the implementation of child labour laws and places of work and to effectively prosecute and punish perpetrators of child exploitation. Montenegro welcomed continued efforts with regards to health. It made recommendations.

75. Morocco welcomed the importance given by Saint Lucia to socioeconomic issues and combating poverty. It noted with appreciation the efforts made to achieve gender equality, improve access to education and vocational training for rural women, protect women victims of domestic violence and improve access to free basic health care for rural women. Morocco made recommendations.

76. Namibia noted the challenges to realizing the right to clean drinking water and wished Saint Lucia success in realizing the joint initiative with Mexico to improve the water situation. It noted the signature of the International Covenant on Civil and Political Rights in 2011 and encouraged Saint Lucia to speed up its ratification. Namibia commended efforts to reduce and eradicate poverty and hunger, especially the short-term employment programme and the feasibility studies on implementing the Zero Hunger Challenge. Namibia made recommendations.

77. The Netherlands expressed concern about some politicians calling for a reinstatement of the death penalty in the light of rising crime rates. It welcomed the importance attached to women's rights, while being concerned that same-sex sexual activities between adults continue to be criminalized and that the persons involved continue to be discriminated. The Netherlands made recommendations.

78. Nicaragua highlighted the progress made to improve the quality of life of Saint Lucians, including through housing and sanitation programmes and through policies on food security and nutrition, employment and social protection. Nicaragua encouraged the Government to continue working on universal enjoyment of human rights in order to eliminate any discrimination against the most vulnerable groups. Nicaragua made recommendations.

79. Panama welcomed the efforts made by the Government, with Mexican assistance, to improve the supply of drinking water for the inhabitants of Dennery district. It noted the 2011 policy and strategic action plan on housing and the programme to solve the challenges associated with the proliferation of unplanned settlements. Panama noted as positive that, in

August 2015, Parliament considered a report on constitutional reform that addressed issues such as the death penalty and corporal punishment. Panama made recommendations.

80. Paraguay appreciated the willingness of the Government to follow up on the recommendations accepted during the first universal periodic review. Paraguay considered that the inter-institutional consultation launched to prepare the second review was timely and necessary. It welcomed the collaboration with the Governments of Brazil and Mexico to address water and sanitation problems and encouraged Saint Lucia to continue working with other countries and international organizations. It expressed concern over the lack of a national human rights institution and encouraged the Government to consider the possibility of requesting cooperation on a bilateral basis or with OHCHR. Paraguay noted the high number of persons imprisoned before being sentenced and acknowledged the efforts that Saint Lucia had made to address this issue as a priority. Paraguay made recommendations.

81. The Philippines noted with appreciation the ratification of optional protocols to the Convention on the Rights of the Child, the accession to the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, and the enactment of legislation to criminalize trafficking in persons. It recognized challenges faced by Saint Lucia as a small island developing State vulnerable to climate change and commended its commitment to working with development partners to advance socioeconomic rights. The Philippines appreciated steps taken to address gender parity, including in education, as well as efforts to implement the National Strategic Plan for Health and to introduce reforms in the juvenile justice system. It expressed interest in hearing about the country's experience in human rights education and training of law enforcement officials. The Philippines made recommendations.

82. The United Kingdom of Great Britain and Northern Ireland encouraged a more transparent and timely response from Saint Lucia to the CARICOM Implementation Agency for Crime and Security report into allegations of extrajudicial killings by police officers. It welcomed the approved "use-of-force policy". It encouraged the Government to continue to develop its human rights training for law enforcement officers, to put in place strong channels of oversight, monitoring and communication between police and child protection agencies to develop a more effective response to the abuse of children, to promote a culture of tolerance and to take concrete action to end all discrimination, including gender-based discrimination and discrimination against lesbian, gay, bisexual and transgender people. It made recommendations.

83. The delegation of Saint Lucia acknowledged the comments made by a number of delegations with regard to the impact of climate change. It invited the Working Group to take note of the devastating impact of climate change on a small island developing State like Saint Lucia and the reality that, from time to time, Governments of such States had to reprioritize in order to meet their international commitments and obligations.

84. The delegation wished to place on record the intention of Saint Lucia to take cognizance of the recommendations made and concerns expressed. It considered it a privilege to participate in the universal periodic review process, which it viewed as a fundamental instrument for securing and safeguarding the human rights of all the citizens of the island.

85. The delegation recalled that Saint Lucia was a young democracy, only 36 years old, and that it was at a critical stage of its democratic development. The incorporation of the people-centred 2030 Agenda for Sustainable Development and the process of reforming the Constitution would affect every citizen in Saint Lucia. The Government's yardstick for measuring the success of those processes was to ensure that the benefits to be derived would always be within the reach of its people, for this generation and generations to come.

86. It was the hope of the delegation that, following the review, there would be an opportunity to engage the international community, including United Nations agencies, on ways and means to assist Saint Lucia in mitigating some of its challenges.

87. The universal periodic review was a useful mechanism to assist Saint Lucia in keeping track of the work that it had already done and highlight areas where obstacles slowed it down.

## **II. Conclusions and/or recommendations\*\***

**88. The following recommendations will be examined by Saint Lucia, which will provide responses in due time but no later than at the thirty-first session of the Human Rights Council, in March 2016:**

**88.1 Ratify the international human rights instruments to which it is not a party and bring its internal legal framework into line with international obligations (Trinidad and Tobago);**

**88.2 Strengthen its efforts to accede to international instruments to which Saint Lucia is not a party yet and strengthen its cooperation with the universal system of human rights in order to promote compliance with its obligations in this area, as previously recommended (Mexico);**

**88.3 Continue considering the ratification of the main human rights instruments to which it is not yet a party (Nicaragua);**

**88.4 Complete the internal procedure necessary for the ratification of the International Covenant on Civil and Political Rights and the Convention on the Rights of Persons with Disabilities, while putting in place the necessary mechanisms to proceed with the signature and ratification of other international human rights agreements that are still pending (Spain);**

**88.5 Ratify human rights conventions, including the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention against Torture and its Optional Protocol (Sierra Leone);**

**88.6 Fully implement accepted recommendations from the first universal periodic review concerning the ratification of the International Covenant on Civil and Political Rights and its Optional Protocols, the International Covenant on Economic, Social and Cultural Rights and its Optional Protocol, as well as the accession to their inquiry and inter-State complaints procedures, and the Convention on the Rights of Persons with Disabilities (France);**

**88.7 Consider expediting steps to ratify the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of Persons with Disabilities, which are treaties that Saint Lucia accepted in the first cycle review to become a party to (Ghana);**

**88.8 Progress in the process of ratification of the International Covenant on Civil and Political Rights, the Convention on the Rights of Persons with**

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\*\* Conclusions and recommendations have not been edited.

**Disabilities and the Optional Protocol to the Convention on the Rights of the Child signed in 2011 (Chile);**

88.9 **Ratify core international human rights instruments, including the International Covenant on Civil and Political Rights and its Optional Protocols, the International Covenant on Economic, Social and Cultural Rights, and the Convention against Torture and its Optional Protocol (Germany);**

88.10 **Ratify and implement the remaining core human rights treaties, in particular the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and the Convention against Torture, as previously recommended (Slovenia);**

88.11 **Swiftly ratify the International Covenant on Civil and Political Rights and the Convention on the Rights of Persons with Disabilities (Portugal);**

88.12 **Ratify the International Covenant on Civil and Political Rights (Georgia) (Paraguay);**

88.13 **Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Montenegro);**

88.14 **Ratify the second Optional Protocol to the International Covenant on Civil and Political Rights (Uruguay);**

88.15 **Establish a formal moratorium with a view to ratifying the Second Optional Protocol to the International Covenant on Civil and Political Rights (Australia);**

88.16 **Sign the Second Optional Protocol to the International Covenant on Civil and Political Rights as well as establish a moratorium on executions with a view to formally abolishing the death penalty (Portugal);**

88.17 **Ratify and implement the Convention on the Rights of Persons with Disabilities (Australia);**

88.18 **Consider ratifying the Convention on the Rights of Persons with Disabilities (Morocco);**

88.19 **Consider ratifying the Optional Protocol to the Convention on the Rights of Persons with Disabilities (Ecuador);**

88.20 **Ratify the International Covenant on Economic, Social and Cultural Rights (Algeria);**

88.21 **Accede to the International Covenant on Economic, Social and Cultural Rights (Paraguay);**

88.22 **Ratify the Convention against Torture and its Optional Protocol, as well as the International Covenant on Economic, Social and Cultural Rights (Chile);**

88.23 **Ratify the Convention against Torture and its Optional Protocol (Costa Rica) (Guatemala) (Uruguay);**

88.24 **Ratify the Convention against Torture (Denmark) (Montenegro);**

88.25 **Further strengthen the efforts to combat acts of torture and cruel, inhuman or degrading treatment, including to consider the ratification of the Convention against Torture (Indonesia);**

- 88.26 **Ratify the International Convention for the Protection of All Persons from Enforced Disappearance (Uruguay);**
- 88.27 **Consider ratifying the International Convention for the Protection of All Persons from Enforced Disappearance (Argentina);**
- 88.28 **Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Guatemala);**
- 88.29 **Ratify the Convention on the Prevention and Punishment of the Crime of Genocide (Armenia);**
- 88.30 **Fully align its national legislation with the Rome Statute of the International Criminal Court (Portugal);**
- 88.31 **Take legislative measures to fully implement the provisions of the Convention on the Elimination of All Forms of Discrimination against Women (Namibia);**
- 88.32 **Bring its laws in line with the Convention on the Rights of the Child (Portugal);**
- 88.33 **Strengthen implementation of its obligations under the Convention on the Rights of the Child by adopting legislation based on the Organization of Eastern Caribbean States model Children (Care and Adoption) Bill, model Status of Children Bill, and model Child Justice Bill (Canada);**
- 88.34 **Remove, in the process of legal and constitutional reform, any legal distinction between children born in and outside of marriage; amend its law to ensure that no person may be sentenced to the death penalty for a crime alleged to have been committed as a child; and prohibit corporal punishment in school and care settings as well as in detention (Ireland);**
- 88.35 **Take legislative measures to ensure non-discrimination against children in all settings and fully implement the provisions of the Convention on the Rights of the Child (Namibia);**
- 88.36 **Set up a national human rights institution in conformity with the Paris Principles (Sierra Leone);**
- 88.37 **Establish a national human rights institution in accordance with the Paris Principles (Guatemala) (Mexico);**
- 88.38 **Establish a human rights institution (Algeria);**
- 88.39 **Take the necessary measures for the establishment of a National Human Rights Institution (Paraguay);**
- 88.40 **Continue its efforts in establishing a National Human Rights Institution, in line with the Paris Principles (Indonesia);**
- 88.41 **Redouble efforts to secure support from the United Nations and international organizations in establishing an independent national human rights institution in line with the Paris Principles (Philippines);**
- 88.42 **Explore diverse options to improve the coordination of human rights, including, but not limited to, the establishment of a single mechanism such as a National Human Rights Institution (Jamaica);**
- 88.43 **Strengthen the office of the Ombudsman in the protection of the rights of nationals (Barbados);**



- 88.44 Continue to successfully promote human rights by reinforcing and increasing the capacity of the Office of the Ombudsman (Haiti);
- 88.45 Provide the National Action Child Protection Committee (NACPC) with sufficient authority and resources to effectively implement and coordinate comprehensive, coherent and consistent child rights policies (Trinidad and Tobago);
- 88.46 Continue its efforts towards protecting the rights of women and children (Morocco);
- 88.47 Extend a standing invitation to the United Nations Special Procedures for human rights (Guatemala);
- 88.48 Seek financial and technical assistance from international sources, including from the OHCHR for implementing international human rights obligations and for facilitating human rights training and education (Sierra Leone);
- 88.49 Continue to avail itself of bilateral and international partnerships, including with various United Nations Funds, Programmes and Specialized Agencies, in areas which prove beneficial to the country (Bahamas);
- 88.50 Intensify its direct engagement with the OHCHR in order to ensure that the country receives coherent, appropriate, tailor-made assistance from the United Nations as a whole (Jamaica);
- 88.51 Engage closely with civil society in the follow-up on the recommendations of the Human Rights Council (Trinidad and Tobago);
- 88.52 Establish a system for monitoring international recommendations (Paraguay);
- 88.53 Enact comprehensive legislation that fully guarantees the application of the principle of non-discrimination and ensure the full enjoyment of all human rights by every member of society (South Africa);
- 88.54 Mainstream gender equality policies in the education sector, ensuring that gender issues and sensitivity training become an integral, substantive and mandatory component of all teacher training at all levels (South Africa);
- 88.55 Review the effectiveness of government mechanisms intended to support the achievement of gender equality (South Africa);
- 88.56 Systematically adopt policies that promote gender equality in the education sector and ensure that gender issues are included in education as an integral, substantive and mandatory component of the training of teachers and students in all levels (Panama);
- 88.57 Take active measures to review its national legislation with the aim of eliminating existing gender-based discriminatory provisions (Namibia);
- 88.58 Ensure the implementation of gender equality policies, including through mainstreaming gender equality training in the education sector (Slovenia);
- 88.59 Strengthen the fight against discrimination based on sexual orientation or gender identity (France);

- 88.60 **Adopt legislation prohibiting discrimination on the basis of sexual orientation and gender identity and repeal all legal provisions criminalizing sexual acts between consenting adults of the same sex (Slovenia);**
- 88.61 **Repeal all legislation which may discriminate against lesbian, gay, bisexual, transgender and intersex persons (Australia);**
- 88.62 **Introduce legal and practical measures aimed at eliminating discrimination against lesbian, gay, bisexual, transgender and intersex persons, including by raising public awareness of the issue, by passing appropriate anti-discrimination legislation and by repealing discriminatory legislation (Germany);**
- 88.63 **Take effective measures towards the prohibition of discrimination on the basis of sex, sexual orientation and gender identity, and holding accountable individuals responsible for acts of violence committed against lesbian, gay, bisexual, transgender and intersex persons (Brazil);**
- 88.64 **Engage with civil society organisations representing lesbian, gay, bisexual, transgender and intersex persons to implement education on human rights and anti-discrimination awareness-raising programmes, as well as reviewing legislation that is discriminatory to lesbian, gay, bisexual, transgender and intersex persons and arbitrarily interferes with the right to privacy, as it encourages stigmatisation of such persons (Netherlands);**
- 88.65 **Implement the recommendations of its Constitutional Reform Committee and establish separate legislation to prohibit discrimination on the basis of sexual orientation (Canada);**
- 88.66 **Decriminalize consensual sexual relations between consenting adults of the same sex (Spain);**
- 88.67 **Decriminalize same-sex sexual conduct between consenting adults by reforming the penal code (United States of America);**
- 88.68 **Repeal laws and Penal Code provisions prohibiting and punishing consenting sexual relations between adults of the same sex (Uruguay);**
- 88.69 **Repeal all provisions criminalizing sexual relations between consenting adults of the same sex, and incorporate sexual orientation as a basis for unlawful discrimination in all areas of labour legislation (Chile);**
- 88.70 **Carry out campaigns of awareness and promotion of social change in relation to non-discrimination on the grounds of sexual orientation aimed, inter alia, to avoid homophobic aggression (Spain);**
- 88.71 **Carry out education and awareness-raising programs on the human rights of lesbian, gay, bisexual, transgender and intersex persons (Uruguay);**
- 88.72 **Establish an official moratorium on executions with a view to the definitive elimination of the death penalty from the legislation (Spain);**
- 88.73 **Take measures aimed at the abolition of the death penalty in law and commit to this abolition at the international level, particularly by voting in favour of General Assembly resolutions prescribing a moratorium on this punishment (France);**
- 88.74 **Take concrete steps aiming at abolishing the death penalty and, in the meantime, establish a moratorium on the practice, while engaging in**

awareness-raising campaigns on human rights, with a particular emphasis on the incompatibility between the death penalty and human rights (Brazil);

88.75 Continue its efforts to adopt necessary measures to abolish the death penalty (Mexico);

88.76 Take all necessary steps to formally abolish the death penalty (Netherlands);

88.77 Formally declare the moratorium or abolition of the death penalty (Paraguay);

88.78 Implement legislative measures to ensure that persons under 18 years of age cannot be subject to receiving the death penalty (Costa Rica);

88.79 Adequately implement its legislative framework addressing domestic and sexual violence, ensuring the inclusion of provisions on marital rape, as well as a specific definition of violence against women, as distinct from intra-family, family or domestic violence (Portugal);

88.80 Continue with the awareness campaigns against gender discrimination, domestic violence and sexual assault and establish mechanisms to effectively act against these sorts of aggressions (Spain);

88.81 Implement the recommendations of the Director of Public Prosecutions and adopt legislation allowing for prosecution of perpetrators of domestic violence without victim-lodged complaints (Canada);

88.82 Enact law to allow government authorities to independently prosecute alleged perpetrators of domestic and sexual violence (Haiti);

88.83 Continue its efforts to combat domestic violence and gender-based violence (Colombia);

88.84 Adopt measures reinforcing the fight against domestic violence (France);

88.85 Take legal and practical steps to protect women and children from domestic violence, for example by prohibiting corporal punishment of children in all settings, including the home (Germany);

88.86 Take all necessary measures to eliminate, in law and in practice, violence against women and corporal punishment of boys and girls (Mexico);

88.87 Take all the necessary measures to finalize the draft law related to domestic violence and children's rights, and submit it to the Council of Ministers for adoption (Panama);

88.88 Better protect women and children from violence, including by: reviewing child protection systems; amending the Criminal Code to include a provision on marital rape; and prosecuting all alleged perpetrators of sexual and domestic violence (United Kingdom of Great Britain and Northern Ireland);

88.89 Continue to strengthen its human rights infrastructure by adopting legislation and programs that would protect women and children from domestic violence and other forms of abuse, in line with international standards (Philippines);

88.90 Increase efforts to seek assistance in establishing a centralized data registry, especially data on violence against women and children (Haiti);

- 88.91 Continue its efforts to ensure that all cases of child sexual abuse are reported before the justice, as well as the offer of complaint procedures that are effective, easily accessible and of a confidential nature for the victims (Argentina);
- 88.92 Take steps to combat child abuse and child labour (Armenia);
- 88.93 Strengthen its efforts to combat sexual exploitation of and sexual violence against children (Djibouti);
- 88.94 Adopt legislation explicitly prohibiting corporal punishment of children, as previously recommended (Slovenia);
- 88.95 Implement measures to prohibit corporal punishment of children in schools (Costa Rica);
- 88.96 Ensure the implementation of child labour laws, including by strengthening effective monitoring (Slovenia);
- 88.97 Adopt additional measures and programmes to prevent child labour (Slovenia);
- 88.98 Review criminal justice procedures in order to reduce the length of detention without trial by undertaking a comprehensive review of remand cases and giving priority to the establishment of new Halls of Justice before the date of the next review (United Kingdom of Great Britain and Northern Ireland);
- 88.99 Investigate fully the reported extrajudicial killings by the Police and bring any persons found guilty to justice (Sierra Leone);
- 88.100 Provide oversight to ensure investigation and prosecution as appropriate against police officers alleged to have been involved in extrajudicial killings (United States of America);
- 88.101 Take urgent measures to investigate all allegations of extrajudicial killings by law enforcement agencies with a view to bringing the perpetrators to justice (Ghana);
- 88.102 Establish a special committee to oversee the implementation of the CARICOM Implementation Agency for Crime and Security report recommendations (United States of America);
- 88.103 Take immediate and concerted actions to fully investigate and prosecute all reports of extrajudicial killings, including re-examination of investigations disposed of before the CARICOM Implementation Agency for Crime and Security report, in order to hold the perpetrators accountable; and establish mechanisms for fully independent oversight of the police service (Ireland);
- 88.104 Promptly follow up on the findings of the independent investigation into extrajudicial police shootings over the period 2010-2011 in order to hold those responsible to account and to ensure rule of law (Canada);
- 88.105 Continue strengthening the sensible programs fighting poverty and social inequality (Bolivarian Republic of Venezuela);
- 88.106 Promote citizen and community participation in poverty alleviation programs currently being developed (Nicaragua);
- 88.107 Expand and develop its social programs with a special emphasis on the most disadvantaged persons, especially women and children (Chile);

- 88.108 **Accelerate efforts under the Food and Nutrition Security Policy, aimed at reducing hunger by increasing access to affordable, nutritious, safe and quality food (Georgia);**
- 88.109 **Continue implementing the National Policy on Social Protection to ensure that sustainable development in Saint Lucia is inclusive and equitable (Cuba);**
- 88.110 **Keep its efforts for the proper implementation of social security programs (Ecuador);**
- 88.111 **Continue consolidating its health system, particularly in the mother-child area (Bolivarian Republic of Venezuela);**
- 88.112 **Implement the National Strategic Health Plan in order to ensure that all people, regardless of their socioeconomic status, have access to a basic set of effective, efficient and quality health services (Cuba);**
- 88.113 **Take measures to facilitate the treatment, education, aftercare and social reintegration of drug abusers, as an alternative to deprivation of liberty, and in penitentiary centres (Colombia);**
- 88.114 **Keep the important impetus given to the National Plan of educational development, with particular emphasis on the most vulnerable social sectors (Bolivarian Republic of Venezuela);**
- 88.115 **Continue its efforts to further the promotion of education (Djibouti);**
- 88.116 **Enhance efforts to provide access to quality education for all (Maldives);**
- 88.117 **Continue its efforts to promote gender equality in the education sector (Colombia);**
- 88.118 **Adopt and implement a National Policy for persons with disabilities (Maldives);**
- 88.119 **Adopt and implement a national policy project aimed at persons with disabilities, especially ensuring the effective rights of children with disabilities and their participation in all spheres of society (Panama);**
- 88.120 **Take into account the rights of children in climate change strategies (Costa Rica);**
- 88.121 **Continue to develop and implement successful climate change mitigation and adaptation policies and practices (Haiti).**
89. **All conclusions and/or recommendations contained in the present report reflect the position of the submitting State(s) and/or the State under review. They should not be construed as endorsed by the Working Group as a whole.**

## **Annex**

### **Composition of the delegation**

The delegation of Saint Lucia was headed by the Permanent Representative of Saint Lucia to the United Nations in New York, Menissa Rambally, and composed of the following members:

- Mr. Shonari Clarke, Legal Officer, Ministry of External Affairs, International Trade and Civil Aviation, Saint Lucia.
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