

Saint Lucia

**Stakeholder Report for the United Nations Universal Periodic Review:
The Death Penalty**

Submitted by The Advocates for Human Rights,
a non-governmental organization in special consultative status with ECOSOC since 1996

and

The World Coalition Against the Death Penalty
for the 51st Session of the Working Group on the Universal Periodic Review
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The Advocates for Human Rights (The Advocates) is a volunteer-based non-governmental organization committed to the impartial promotion and protection of international human rights standards and the rule of law. Established in 1983, The Advocates conducts a range of programs to promote human rights in the United States and around the world, including monitoring and fact finding, direct legal representation, education and training, and publications. The Advocates is the primary provider of legal services to low-income asylum seekers in the Upper Midwest region of the United States. In 1991, The Advocates adopted a formal commitment to oppose the death penalty worldwide and organized a death penalty project to provide pro bono assistance on post-conviction appeals, as well as education and advocacy to end capital punishment. The Advocates currently holds a seat on the Steering Committee of the World Coalition against the Death Penalty.

The World Coalition Against the Death Penalty is a membership-based global network committed to strengthening the international dimension of the fight against the death penalty. Established in 2002, its ultimate objective is to obtain the universal abolition of the death penalty. To achieve its goal, the World Coalition advocates for a definitive end to death sentences and executions in those countries where the death penalty is in force. In some countries, it is seeking to obtain a reduction in the use of capital punishment as a first step towards abolition.

EXECUTIVE SUMMARY

1. Saint Lucia has observed a de facto moratorium on executions for thirty years, and no person is currently on death row, yet the country's criminal code authorizes the death penalty and people remain at risk of being sentenced to death. During the third-cycle Universal Periodic Review, Saint Lucia's authorities expressed a commitment to conduct public consultations on the death penalty, yet they have taken no steps toward conducting such consultations since that time. The newly convened Parliamentary Constitutional Review Committee presents an opportune venue for carrying out meaningful consultations on alternatives to the death penalty to lay the groundwork for a formal moratorium and a commitment to abolition of the death penalty.

I. IMPLEMENTATION OF INTERNATIONAL HUMAN RIGHTS OBLIGATIONS

2. Article 86 of Saint Lucia's Criminal Code authorizes the death penalty for capital murder, defined as the murder of a member of the police force, a correctional officer, a justice of the peace, or a judicial officer, or the murder of a witness or juror, or a murder in furtherance of another crime such as robbery or drug trafficking, or murder for hire, or murder in furtherance of an act of terrorism, and Article 87 authorizes the death penalty for a person convicted of non-capital murder who had previously been convicted of another murder on a different occasion.¹
3. Saint Lucia does not have a mandatory death penalty.² Under Article 86(5), person convicted of capital murder may present a case for a mitigated sentence based on: "the gravity and nature of the offence"; "the character and record of the offender"; "any subjective factors which may have influenced the conduct of the offender"; "the design and manner of execution of the offence"; and "the possibility of reform and social re-adaptation of the offender."³
4. Saint Lucia has maintained a de facto moratorium on executions since 1995.⁴ According to Amnesty International, as of the end of 2024, no people were known to be under sentence of death in Saint Lucia,⁵ and no court had handed down a death sentence since the third-cycle UPR.⁶ Pursuant to the Privy Council's decision in *Pratt and Morgan*, authorities may not hold a person under sentence of death for more than five years; thereafter, authorities must commute the sentence to life imprisonment.⁷

Acceptance of international norms

Status of Implementation: Not Accepted, Not Implemented

5. In its third-cycle Universal Periodic Review in 2021, Saint Lucia noted ten recommendations to ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty.⁸ Since 2021, Saint Lucia has made no progress toward ratification of the Second Optional Protocol.

Awareness raising and dissemination

Status of Implementation: Not Accepted, Not Implemented

6. In the third-cycle UPR, Saint Lucia noted Mexico's recommendation to “[a]dvance efforts to abolish the death penalty, including through awareness-raising campaigns on human rights and alternatives to the death penalty.”⁹ In noting this and other recommendations regarding abolition of the death penalty, Saint Lucia “indicate[d] its willingness to conduct public consultations on the topic of the death penalty which is in keeping with the Government’s efforts on public consultation and dialogue on crime.”¹⁰ During the interactive dialogue, Saint Lucia observed that authorities “had introduced new rehabilitative and restorative practices in its criminal justice system.”¹¹ Despite these assurances, Saint Lucia has done nothing since 2021 to engage in public consultations about the death penalty.
7. A 2020 analysis of support for the death penalty across English-speaking Caribbean nations, including Saint Lucia, identified the public’s lack of knowledge regarding the government’s position on the issue, found that up to 61% of respondents were unaware that their government had consistently opposed the UN General Assembly resolution calling for a global moratorium on the death penalty. Only 31% of respondents stated that they were “very well informed” on research about the death penalty and deterrence.¹² There is no information suggesting that Saint Lucia has taken any steps since 2021 to ensure that the population or lawmakers are well informed about death penalty issues.
8. In March 2024, a new Parliamentary Constitutional Review Committee (PCRC) convened for the first time. The Committee is tasked with identifying and agreeing to amendments to the Constitution of Saint Lucia, based on a 2011 report that a Constitutional Reform Commission had published after extensive stakeholder consultations.¹³ That report recommended retention of the death penalty, while noting that “[t]here were as many recommendations calling for the retention of capital punishment as there were those calling for its abolition.”¹⁴ The PCRC’s “mandate is limited to reviewing the recommendations from the earlier CRC report and to provide the parliament with a set of proposal that could be adopted based primarily on, but not limited to, the CRC report.”¹⁵ It is not clear whether the PCRC will engage in any awareness-raising activities or public consultations about the death penalty.

Death penalty

Status of Implementation: Not Accepted, Not Implemented

9. In its third-cycle UPR, Saint Lucia noted all 21 recommendations it received concerning abolition of the death penalty.¹⁶ Since 2021, Saint Lucia has made no progress toward abolition of the death penalty or instituting a formal moratorium on executions.

II. RECOMMENDATIONS

10. This stakeholder report suggests the following recommendations for the Government of Saint Lucia:

- Abolish the death penalty and replace it with penalties that are fair, proportionate, and consistent with international human rights standards.
- In the interim:
 - Institute a formal moratorium on death sentences and executions.
 - Institute a procedure by which the judiciary automatically converts a death sentence into a sentence of life imprisonment after the person has been under sentence of death for five years.
- Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights.
- In collaboration with civil society organizations, conduct an awareness-raising campaign about human rights and alternatives to the death penalty, including by enlisting experts on deterrence of criminal behavior.
- Direct the Parliamentary Constitutional Review Committee to engage in public consultations about the death penalty in collaboration with civil society organizations and educational institutions.
- Ensure that defense counsel in capital cases has adequate time and funding to gather evidence regarding potential mitigating factors that may warrant a sentence other than death.
- Ensure that any person charged with capital murder has access to experienced legal counsel from the time of arrest through and including any appellate or other post-conviction proceedings.

¹ St. Lucia Criminal Code §§ 86, 87 (2004), available at <https://www.govt.lc/media.govt.lc/www/resources/legislation/Criminal%20Code.pdf>.

² *Hughes, R. v. (Saint Lucia)* [2002] UKPC 12 (11 Mar. 2002), Privy Council Appeal No. 91 of 2001, available at <https://www.casemine.com/judgement/in/5779fbf8e561096c9313198b>.

³ St. Lucia Criminal Code § 86(5) (2004), available at <https://www.govt.lc/media.govt.lc/www/resources/legislation/Criminal%20Code.pdf>.

⁴ Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Saint Lucia*, (14 April 2021), U.N. Doc. A/HRC/47/9, ¶ 53.

⁵ Amnesty International, Death Sentences and Executions 2024 (2025), at 16, <https://www.amnesty.org/en/documents/act50/8976/2025/en/>.

⁶ Amnesty International, Death Sentences and Executions 2021 (2022), Amnesty International, Death Sentences and Executions 2022 (2023), Amnesty International, Death Sentences and Executions 2023 (2024), available at <https://www.amnestyusa.org/reports/amnesty-international-global-report-death-sentences-and-executions-2023/>.

⁷ *Pratt & Morgan v. Attorney Gen. of Jamaica*, [1993] UKPC 1 (P.C.).

⁸ Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Saint Lucia*, (14 April 2021), U.N. Doc. A/HRC/47/9, ¶ 104.2 (“Continue efforts to ratify the remaining core human rights treaties, namely, the International Covenant on Economic, Social and Cultural Rights, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the International Covenant on Civil and Political Rights and the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty” (Slovenia)), .10 (“Ratify core international human rights instruments, in particular the International Covenant on Civil and Political Rights and the Optional Protocols thereto and the Convention on the Prevention and Punishment of the Crime of Genocide” (Armenia)), .13 (“Ratify the International Covenant on Civil and Political Rights and the Optional Protocols thereto” (Namibia)), .86 (“Establish a formal moratorium on executions, with a view to abolishing the death penalty, and consider ratifying the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty” (Italy)), .87 (“Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, and immediately introduce an official moratorium on the death penalty” (Germany)), .88 (“Fully abolish the death penalty and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty” (Iceland)), .89 (“Abolish the death penalty and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty” (Portugal)), .90 (“Abolish the death penalty and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty” (Australia)), .91 (“While noting the de facto moratorium on executions, abolish the death penalty and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty” (Finland)), .92 (“Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, given that the death penalty continues to be in force in the country’s Constitution” (Spain)); Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Saint Lucia: Addendum*, (29 June 2021), U.N. Doc. A/HRC/47/9/Add.1, at 2.

⁹ Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Saint Lucia*, (14 April 2021), U.N. Doc. A/HRC/47/9, ¶ 104.83; Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Saint Lucia: Addendum*, (29 June 2021), U.N. Doc. A/HRC/47/9/Add.1, at 4.

¹⁰ Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Saint Lucia: Addendum*, (29 June 2021), U.N. Doc. A/HRC/47/9/Add.1, at 4.

¹¹ Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Saint Lucia*, (14 April 2021), U.N. Doc. A/HRC/47/9, ¶ 53.

¹² Roger Hood, Florence Seemungal & Amaya Athill, *Sentenced to Death Without Execution: Why Capital Punishment Has Not Yet Been Abolished in the Eastern Caribbean and Barbados*, THE DEATH PENALTY PROJECT (2020), https://deathpenaltyproject.org/wp-content/uploads/2020/04/2809872v1_WSDOCS_-Sentencing-to-Death-Without-Execution-2020.pdf.

¹³ Cynthia Barrow-Giles, *Reviving Constitutional Reform in Saint Lucia: The Role of the Parliamentary Constitutional Review Committee*, 26 Apr. 2024, ConstitutionNet, <https://constitutionnet.org/news/voices/reviving-constitutional-reform-st-lucia-role-parliamentary-constitutional-review-committee>.

¹⁴ Report of the Saint Lucia Constitutional Reform Commission (Mar. 2011), at 93, available at <https://www.govt.lc/media.govt.lc/www/resources/publications/FINAL%20REPORT%202030-03-2011.pdf>.

¹⁵ Cynthia Barrow-Giles, *Reviving Constitutional Reform in Saint Lucia: The Role of the Parliamentary Constitutional Review Committee*, 26 Apr. 2024, ConstitutionNet, <https://constitutionnet.org/news/voices/reviving-constitutional-reform-st-lucia-role-parliamentary-constitutional-review-committee>.

¹⁶ Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Saint Lucia*, (14 April 2021), U.N. Doc. A/HRC/47/9, ¶ 104.77 (“Consider imposing a moratorium on executions and take positive steps to abolish the death penalty” (Fiji)), .78 (“Immediately introduce an official moratorium on the death penalty”

(Germany)), .79 (“Declare formally a moratorium on or the abolition of the death penalty, in line with Sustainable Development Goal 16” (Paraguay)), .80 (“Establish an immediate moratorium on the death penalty” (France)), .81 (“Consider the abolition of the death penalty and replacing it with a penalty that is just, proportionate and in accordance with international human rights standards” (Togo)), .82 (“Consider eliminating the death penalty as an applicable criminal sanction in national legislation, commuting such sentences for other alternative penalties” (Chile)), .84 (“Abolish the death penalty and, if not, begin with declaring a moratorium with a view to its abolition” (Costa Rica)), .85 (“Abolish or establish a moratorium on the death penalty” (Ukraine)), .93 (“Adapt the Constitution to abolish the death penalty and replace it with a sentence that is fair, proportionate and in accordance with international human rights standards” (Luxembourg)), .94 (“Consider the establishment of a legal moratorium on the death penalty, with a view to its definitive abolition, as previously recommended” (Uruguay)); Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Saint Lucia: Addendum*, (29 June 2021), U.N. Doc. A/HRC/47/9/Add.1, at 4. *See also supra* nn. 8, 9.