



**“CLARIFICATION OF U.S. POSITION WELCOMED BY  
GOVERNMENT OF SAINT LUCIA”**

**REMARKS**

BY

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The Government of Saint Lucia has noted the concerns expressed by the Embassy of the United States of America to Barbados and the Eastern Caribbean as detailed in its Press Release of January 12, 2016.

The Government of Saint Lucia welcomes the fact that the United States has clarified its position on the matter of the prosecution of those who are alleged to have engaged in extra-judicial killings during the tenure of the former United Workers Party Government, between 2010 and 2011. The Government believes that the statement will better

help the people of Saint Lucia and indeed, the officers of the Royal Saint Lucia Police Force, to understand the position of the United States in this difficult and complex matter.

Whilst the Embassy has quite rightly noted there has been no meaningful progress towards a criminal prosecution in the last ten months, of those who are alleged to have committed “extra-judicial killings”, the Embassy’s suggestion that this is or was due to inaction on the part of the Prime Minister or the Government of Saint Lucia is misplaced and unjustified. The fact is that the Executive’s role in

this matter was fulfilled upon presentation of the CARICOM Implementation Agency for Crime and Security Report to the Director of Public Prosecutions ten months ago, in March 2015. Indeed, the Director of Public Prosecutions herself publicly stated that she never read the report until a full six months following her receipt of it.

Up until the time that the DPP proceeded on pre-retirement leave, in December of 2015, she never requested the Government of Saint Lucia, facilitate her in interviewing the investigators whether in Saint Lucia or Jamaica.

To the charge that the Office of the Director of Public Prosecutions was not provided with the requisite resources to prosecute this matter, the Minister for National Security responded promptly and fully, debunking the DPP's assertions. The issue about prosecuting those who may have committed alleged criminal offences has never been one about resources. Firstly, the Government of Saint Lucia made provision in the Estimates of Revenue and Expenditure for 2015/2016 for the appointment of two special prosecutors to assist her to prosecute those who may have committed criminal acts, if she

deemed it necessary. She never made use of these resources.

The truth is, that never in the history of the DPP's office has it been as well-staffed as it was at that time, with only the position of Deputy Director of Public Prosecutions remaining vacant. Even then, the Government of Saint Lucia had placed advertisements in the local and regional papers to fill the position on several occasions. The Judicial and Legal Services Commission decided that none of the applicants were suitable to fill the vacant post.

It must be noted here that appointments to the positions of Director of Public Prosecutions and Deputy Director of Public Prosecutions are made not by the Executive but instead by the Judicial and Legal Services Commission, a body established under Saint Lucia's Constitution which is, therefore, outside the purview and influence of the Executive Branch of the Government.

The Government of Saint Lucia remains steadfastly committed to the rule of the law, and remains as anxious as the United States of America to ensure that justice is done and the human rights of all of its

citizens are protected in accordance with our Constitution. But, as recognised by the Embassy itself, our Constitution guarantees the independence of the individual arms of Government. Consequently, it would be unlawful for the Executive to impose its will on a matter that is now clearly within the purview of the judicial arm of the state.

The fact is that the Executive has done everything which is within its constitutional authority. The Executive brought to Parliament legislation to allow for the investigations into the alleged extra-judicial



killings to be undertaken by a body other than the Royal Saint Lucia Police Force. It placed at the disposal of the investigating team all of the required resources, and once the report was completed, in keeping with the provisions of our laws to appoint the investigating team, it was passed on to the DPP. In pursuing justice, Government cannot itself be breaking laws. The Office of the DPP must, when it is properly constituted, be true to its mandate and prosecute this matter at its earliest.

The Government of Saint Lucia will continue to work closely with the Government of the United

States to resolve these issues in the interest of ensuring that justice is served.

The Government of Saint Lucia expects that the Judicial and Legal Services Commission will soon approve advertisements to fill the vacant post of Deputy Director of Public Prosecutions and the post of Director of Public Prosecution when it becomes vacant, consequent on the end of the pre-retirement leave of the incumbent Director.

Our country really needs to bring closure to this issue.