

SAINT LUCIA (ST. LUCIA)

International Instrument	Signature	Ratification, Acceptance (A), Approval (AA), Accession (a), Succession (d)	Entry Into Force
UN Convention on the Rights of the Child	30 Sep 1990	16 Jun 1993	
UN Optional Protocol on the Sale of Children, Child prostitution and Child Pornography	22 Sep 2011	8 Oct 2013	
Protocol to Prevent, Suppress and Punish Trafficking in Persons		16 Jul 2013 a	
UN Optional Protocol on the Involvement of Children in Armed Conflict	22 Sep 2011	15 Jan 2014	
UN Convention for the Protection of All Persons from Enforced Disappearance			
Hague Convention on International Child Abduction			

In Saint Lucia, there are 5 laws that refer directly or indirectly to missing children:

1. Domestic Violence Act of 1995;
2. Criminal Code of 2003 (amended in 2005);
3. Counter-Trafficking Act of 2010;
4. Child Justice Act of 2018; and
5. Child (Care, Protection and Adoption) Act of 2018.

General Child Protection

Domestic violence, including corporal punishment, is a problem in the country. One in five children reportedly live with adults who favor severe punishment methods.¹ According to the NGO Raise Your Voice Saint Lucia, finding shelters for victims of domestic violence and their children is a huge challenge.² There is only one domestic violence shelter in Saint Lucia that accommodates just five families at a time and is always at capacity.³ While official government statistics show that domestic violence and crimes against women and girls generally is on the rise, the state has not provided new facilities or services in response.⁴

Child sexual abuse is the highest reported type of abuse in Saint Lucia followed by physical abuse.⁵ Girls ages 12-16 account for 70% of reported cases of sexual abuse in Saint Lucia.⁶ Cases of sexual

¹ UNICEF, *Situational Analysis of Children in St. Lucia* 40, Sep. 2017, at [https://www.unicef.org/easterncaribbean/ECA_St_Lucia_SitAn_2017_\(002\).pdf](https://www.unicef.org/easterncaribbean/ECA_St_Lucia_SitAn_2017_(002).pdf) (last visited Apr. 11, 2019) (on file with the International Centre for Missing and Exploited Children).

² *Urgent call for safe place in Saint Lucia for victims of domestic violence*, ST. LUCIA NEWS ONLINE, Jan. 21, 2019, at <https://www.stlucianewsonline.com/urgent-call-for-safe-place-in-saint-lucia-for-victims-of-domestic-violence/> (last visited Apr. 11, 2019).

³ *Id.*

⁴ *Id.*

⁵ U.S. Department of State, Bureau of Democracy, Human Rights and Labor, *Country Reports on Human Rights Practices for 2018 – Saint Lucia* 9, at <https://www.state.gov/documents/organization/289566.pdf> (last visited Apr. 11, 2019).

⁶ *Id.*

abuse, physical abuse, psychological abuse, and abandonment are handled by the Department of Human Services and Family Affairs.⁷ Notably there continue to be some cases in which “parents of sexually abused children sometimes declined to press sexual assault charges against the abuser in exchange for financial contributions toward the welfare of the victims” even though this practice (known as “roungement”) has been condemned by the government.⁸

Saint Lucia has adopted a number of key international legal instruments including the UN Convention on the Rights of the Child (CRC), the Optional Protocol on the sale of children, child prostitution and child pornography of the CRC, and the UN Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) aimed at addressing child labor, trafficking, and the sexual exploitation of children.⁹ National legislation and policies have been put in place to align with the UN Sustainable Development Goals (SDGs) and “strategic regional visions that aim to improve the lives of boys and girls in areas of education, health, food security, and social protection.”¹⁰ Saint Lucia’s efforts have proven to be progressive, in several instances, in comparison to other member countries of the Organization of Eastern Caribbean States (OECS). For example, recent legal reforms have “rendered all sex offences gender neutral affording equal protection to boys and girls from sexual victimization and exploitation.”¹¹

There are numerous provisions in national legislation that address child protection issues. The Criminal Code¹² contains numerous provisions concerning child protection issues focused on more specific issues such as causing the death of a child¹³, aggravated assault of a child¹⁴, sexual intercourse with children and juveniles¹⁵, incest¹⁶, and abduction of children¹⁷, among other offenses.

The Domestic Violence Act of 1995 gives the court discretion in domestic violence cases to make various tenancy and related orders deemed in the best interest of the child.¹⁸ For example, if the court is convinced that the respondent has used or could potentially use violence against, or cause physical or mental injury to the applicant, child, or dependent, the court is able to file a tenancy order and physically separate the accused from the accuser and the child or children per Section 12.¹⁹

In November 2018, the Parliament of Saint Lucia unanimously passed the Child (Care, Protection, and Adoption) Act²⁰ and the Child Justice Act of 2018²¹, replacing the Children and Young Persons Act of

⁷ *Id.*

⁸ *Id.*

⁹ UNICEF, Situational Analysis of Children in St. Lucia, *supra* note 1, at 40.

¹⁰ *Id.*

¹¹ *Id.*

¹² Criminal Code of Saint Lucia (2005), at <http://www.govt.lc/www/legislation/Criminal%20Code.pdf> (last visited Apr. 11, 2019) (on file with the International Centre for Missing & Exploited Children).

¹³ *Id.* at Section 82 – Causing death of a child.

¹⁴ *Id.* at Section 116 – Aggravated assault on male under 12 years or female.

¹⁵ *Id.* at Section 125 – Inducing sexual intercourse or sexual connection by force, duress, etc., Section 126 – Sexual intercourse with a person under 12, Section 127 – Sexual intercourse with a person between 12 and 16, Section 128 – Sexual intercourse with an adopted minor, etc., and Section 129 – Sexual intercourse with a minor employee.

¹⁶ *Id.* at Section 157 – Incest.

¹⁷ *Id.* at Section 162 – Abduction of unmarried male or female under 16, Section 163 – Abduction of male or female of any age with intent to marry or defile.

¹⁸ Domestic Violence Act of 1995, Section 7 – Occupation Order; Section 11 – Tenancy Order, at https://oig.cepal.org/sites/default/files/1995_lca_act7.pdf (last visited Apr. 11, 2019) (on file with the International Centre for Missing & Exploited Children).

¹⁹ *Id.* at Section 12 – Tenancy Order.

²⁰ Child (Care, Protection, and Adoption) Act of 2018, at http://slugovprintery.com/template/files/document_for_sale/laws/4257/Act%208%20of%202018.pdf (last visited May 28, 2019) (on file with the International Centre for Missing & Exploited Children).

²¹ Child Justice Act of 2018, at http://slugovprintery.com/template/files/document_for_sale/laws/4258/Act%209%20of%202018.pdf (last visited May 28, 2019) (on file with the International Centre for Missing & Exploited Children).

1972²², to comply with obligations laid out in the CRC. The passage of the Child Justice Act demonstrates “a major shift in how the state apprehends, processes, and provides services to children.”²³

The Ministry of Equity, Social Justice and Empowerment, created in 1993, is the primary government body responsible for protecting children from all forms of abuse and neglect and advocating for juvenile and human rights.²⁴ The Division of Human Services within the Ministry provides services to victims of child abuse, including counseling, medical intervention, facilitating foster care, providing family support services, and supporting the child during investigative and judicial processes.²⁵

OECS and UNICEF created a joint national action plan in February 2018 based upon their recommendations for child justice in Saint Lucia.²⁶ This plan focuses on three broad strategic areas: legislative and policy reform; structural and institutional arrangements; and service and programmatic interventions. The legislative and policy reform component of the Action Plan focuses on reviewing current laws; finalizing policy and legislation that was proposed but has yet to be implemented; appointing mandatory reporters; establishing minimum operational standards of residential facilities; and filling in any other gaps in legislation or policy based upon the OECS/UNICEF assessment.²⁷ Structural and institutional arrangements include implementing a specialized child protection unit, enhancing the capacity of the Family Court by hiring qualified staff and providing training initiatives for all staff, and developing a licensing requirement for child protection residential facilities to ensure appropriate security standards.²⁸ Services and programmatic interventions include establishing a plan of care and providing training for all officers, developing formal complaint mechanisms, and ensuring access to legal representation. Implementation of most of these responsibilities would be tasked to the Department of Human Services in the Ministry of Equity.²⁹

General Missing Child Issues

Very little information concerning missing children in Saint Lucia was found.

According to a UNICEF study, there is no data on the issue of street children in Saint Lucia, but information from the Division of Human Services suggested that “some children were without adult supervision,” which leaves them vulnerable to sexual and other abuses.³⁰

The Royal Saint Lucia Police Force Child Protection Manual provides guidelines for police officers on investigation of child abuse cases including recovering and preserving evidence, interviewing victims and suspects, and multi-agency coordination.³¹ The Manual acknowledges the link between missing children and child sexual abuse and states that: “The officer speaking to the child needs to be mindful that the child may have been at risk whilst missing and may have run away to escape abuse. The

²² Children and Young Persons Act of 1972 (amended 1994), Article 2 – Interpretation, at <http://www.cavehill.uwi.edu/LAWLIBRARY/getattachment/4281dcfd-a304-4678-84bd-458bc99ad417/CHILDREN-AND-YOUNG-PERSONS-ACT.aspx> (last visited Apr. 11, 2019) (on file with the International Centre for Missing & Exploited Children).

²³ Lissa Joseph, *Parliament approves Child Care, Protection, and Adoption Bill*, Government of Saint Lucia, Nov. 23, 2018, at <http://www.govt.lc/news/parliament-approves-child-care-protection-and-adoption-bill> (last visited Apr. 11, 2019) (on file with the International Centre for Missing & Exploited Children).

²⁴ UNICEF, *Situational Analysis of Children in St. Lucia*, *supra* note 1, at 40.

²⁵ U.S. Department of State, *supra* note 5.

²⁶ *Action Plan to Guide Implementation of Recommendations in the OECS/UNICEF Child Justice Assessment Reports: Saint Lucia*, 2018, at <https://oecs.org/sdu-resources/slu-action-plan-report-feb-2018-recovered-pdf/viewdocument> (last visited Apr. 11, 2019) (on file with the International Centre for Missing & Exploited Children).

²⁷ *Id.*

²⁸ *Id.*

²⁹ *Id.*

³⁰ *A Study of Child Vulnerability in Barbados, Saint Lucia and Saint Vincent and the Grenadines*, at https://www.unicef.org/easterncaribbean/cao_resources_vulnerability.pdf (last visited Apr. 11, 2019) (on file with the International Centre for Missing & Exploited Children).

³¹ *Royal Saint Lucia Police Force Child Protection Manual*, at <https://studylib.net/doc/7679212/word-document-format--royal-saint-lucia-police-force> (last visited Apr. 15, 2019) (on file with the International Centre for Missing & Exploited Children).

interviewer should make it clear to the child that the primary purpose of the interview is to protect his or her welfare.”³² The Manual notes that officers should be vigilant in recognizing indicators of child abuse when a child is reported missing.³³

Definition of “Missing Child”

The term “missing child” is not expressly defined in any Saint Lucian legislation.

The Criminal Code of Saint Lucia defines a “child” as a person under the age of 12 years.³⁴ However, the Child (Care, Protection and Adoption) Act of 2018 defines a “child” as any person under the age of 18 years.³⁵

While the Royal Saint Lucia Police Force Child Protection Manual does not explicitly define “missing child” or “missing person” it does note a child who is a “regular missing person”; a child who “fails to attend significant appointments with professionals or is suspected to have moved out of the local area without notice”; and a child who “may have run away to escape abuse.”³⁶ These terms provide some insight into the working definition of a “missing child” even though it is not provided in law.

Abandonment

There are two provisions within the Criminal Code of Saint Lucia, Articles 169 and 170, that deal with child abandonment. Article 169 is specific to a child under the age of five and defines abandonment as “leaving it at the hospital or a workplace or at the house of the person or in any other manner”; such person is “liable on conviction on indictment to imprisonment for five years”.³⁷ Article 170 expands this definition to any person who unlawfully exposes or abandons a child under seven years old, in a manner that would cause the child “grievous harm” and is also subject to conviction and sentencing to prison for five years.³⁸

In the Child (Care, Protection and Adoption) Act of 2018, a child is considered in need of care and protection if the child has been “abandoned or is likely to be abandoned or the only parent of the child has died or is unavailable, unwilling to take custody of the child, and adequate provisions have not been made for the care of the child.”³⁹

Kidnapping and Abduction

Several provisions within the Criminal Code of Saint Lucia deal with kidnapping, unlawful detention of a minor, and child abduction. Article 120 states that kidnapping is the taking or carrying away of another person of any age by force or deception without the person’s consent and provides a penalty of imprisonment for 20 years.⁴⁰

Abduction, as defined in Article 160 of the Criminal Code, is the unlawful taking of a person from the lawful custody, care, or control of another with the intent to deprive the other of custody, to cause the person taken to be married, or to have sexual intercourse with the person.⁴¹ Abduction of an unmarried person under the age of 16 is punishable by imprisonment for 5 years.⁴²

³² *Id.* at 16.

³³ *Id.*

³⁴ Criminal Code of Saint Lucia (2005), *supra* note 12, Article 6 – Interpretation.

³⁵ Child (Care, Protection, and Adoption) Act of 2018, *supra* note 20, Article 2 – Interpretation.

³⁶ Royal Saint Lucia Police Force Child Protection Manual, *supra* note 31, at 16.

³⁷ Criminal Code of Saint Lucia (2005), *supra* note 12, Article 169 – Abandoning child under 5 at hospital, etc.

³⁸ Criminal Code of Saint Lucia (2005), *supra* note 12, Article 170 – Exposing child under 7 to grievous harm.

³⁹ The Child (Care, Protection and Adoption) Act, *supra* note 20, Article 2 – Interpretation.

⁴⁰ Criminal Code of Saint Lucia (2005), *supra* note 12, Article 120 – Kidnapping.

⁴¹ Criminal Code of Saint Lucia (2005), *supra* note 12, Article 160 – Abduction.

⁴² Criminal Code of Saint Lucia (2005), *supra* note 12, Article 162 – Abduction of unmarried male or female under 16.

Article 163 specifies that any person who takes away/detains or knowingly aids and abets in taking away/detaining a male or female of any age against their will with the intent to marry or defile them is liable on conviction on indictment to imprisonment for 14 years.⁴³

Child stealing, addressed in Article 171, is the kidnapping or unlawful taking of a child with intent to deprive his or her parent or guardian of custody, or cause the child any harm.⁴⁴ Additionally, stealing a child under 12 is addressed in Article 172.⁴⁵

Parental Abduction

Saint Lucia is not a party to the Hague Convention on the Civil Aspects of International Child Abduction, nor is it a signatory to any other major international or bilateral treaties dealing with international parental child abduction.⁴⁶

Article 160 of the Criminal Code, while not explicit, may be applicable to parental abduction cases. For example, if a child is taken by one parent with the intention of depriving the other parent of custody or care of the child, the offense of abduction has been committed. Custody of the child by the parent or guardian continues even though the child is absent from their actual custody.⁴⁷ Article 161 further notes that a person does not commit the offense of abduction if he or she believes that they are entitled by law as a parent or guardian, or by any other legal right, to take or detain that other person unless they took the person for any immoral purpose.⁴⁸

To attain a passport in Saint Lucia, an application must be filed along with a copy of the National Identification Card (NIC) card for applicants 16-17 years old or National Identification card for applicants 18 and over, birth certificate, of applicant, and a processing fee.⁴⁹ For children over the age of 16 and under the age of 18 applying for a passport, the parent or legal guardian must consent by signing the application.⁵⁰ First time applicants ages 18 years and older are required to attend an interview with the Immigration Department.⁵¹ In cases where an Order or direction has been made by the High Court or in chambers by a magistrate regarding custody of a child, the Order must be presented “or the nature of the direction stated.”⁵²

Reporting Mechanism

Currently, Saint Lucia does not have a public reporting mechanism to facilitate the reporting of a missing child. The Royal Saint Lucia Police Force emergency number is 911; people may call this number to report missing children and all crimes. It is unclear if Saint Lucia has any helpline or hotline where child abuse and violence against children can be reported.

In January 2019, Saint Lucia, in partnership with the International Organization for Migration (IOM), launched a hotline to help combat human trafficking.⁵³ The hotline – 847 – is available 24-hours-a-

⁴³ Criminal Code of Saint Lucia (2005), *supra* note 12, Article 163 – Abduction of male or female of any age with intent to marry or defile.

⁴⁴ Criminal Code of Saint Lucia (2005), *supra* note 12, Article 171 – Child Stealing.

⁴⁵ Criminal Code of Saint Lucia (2005), *supra* note 12, Article 172 – Stealing Child Under 12.

⁴⁶ Hague Convention Treaty Partners, at <https://travel.state.gov/content/childabduction/en/country/hague-party-countries.html> (last visited May 1, 2019).

⁴⁷ Criminal Code of Saint Lucia (2005), *supra* note 12, Article 160 – Abduction.

⁴⁸ Criminal Code of Saint Lucia (2005), *supra* note 12, Article 161 – Special Provisions.

⁴⁹ Government of Saint Lucia, *Apply for a Saint Lucia passport*, at <http://www.govt.lc/services/apply-for-a-saint-lucia-passport> (last visited Apr. 15, 2019).

⁵⁰ Government of Saint Lucia, *Application for Saint Lucia Passport*, at http://www.govt.lc/media.govt.lc/www/resources/forms/Application%20for%20Saint%20Lucia%20Passport_Form%20%20A.pdf (last visited Apr. 15, 2019) (on file with the International Centre for Missing and Exploited Children).

⁵¹ *Id.*

⁵² *Id.*

⁵³ *Saint Lucia launches anti-human trafficking hotline*, ST. LUCIA NEWS ONLINE, Jan. 23, 2019, at <https://www.stlucianewsonline.com/saint-lucia-launches-anti-human-trafficking-hotline/> (last visited Apr. 11, 2019).

day/7-days-a-week and calls are received by a police officer and relayed to the Central Intelligence Unit for assessment.⁵⁴

Investigation of Missing Child Cases

The Royal Saint Lucia Police Force has a dedicated Vulnerable Person's Team (VPT) that is responsible for all child abuse investigations.⁵⁵ The 2016 U.S. Department of State Country Report on Human Rights Practices stated that Saint Lucia had two vulnerable persons units to handle cases of violence against women and children and the units worked closely with the Family Court and the Departments of Gender Relations and Human Services and Family Affairs.⁵⁶ There does not appear to be a dedicated missing person's division. Appeals by the Royal Police to the public for assistance in missing persons cases seem to be done through the media.⁵⁷ The main website of the Royal Police was not operational at the time of this report.⁵⁸

The Royal Saint Lucia Police Force Child Protection Manual does not outline a specific procedure for investigating cases of missing children but notes officers should be vigilant in recognizing indicators of child abuse when a child is reported missing.⁵⁹ However, it does provide some guidance on steps to be taken once a child is found. For example, the Manual states that officers must interview the child within a short period of time and prior to the child returning home to determine whether the child ran away to escape abuse.⁶⁰

National Database

Every child born within Saint Lucia must be registered after birth. Births are registered by a District Registrar of Births and Deaths located throughout the island. The registration must be done at the Office of the District Registrar nearest to where the child was born.⁶¹

In April 2006, Saint Lucia purchased an automated fingerprinting system in hopes of creating a fingerprint database within the nation.⁶² The fingerprinting system is used as a means of applying for a Police Clearance Certificate⁶³ which may be required to obtain a travel visa to enter Saint Lucia and/or to gain Saint Lucian citizenship.⁶⁴ Research did not locate information to suggest that the fingerprinting system it is used for criminals, suspects, or any other group of people.

Specific reference to a national criminal database that records all crime and possible missing children in Saint Lucia was not found. However, according to the Annual Statistical Digest of 2017 published by the Central Statistical Office of Saint Lucia, there were no reported cases of child abandonment or child stealing; there was one case of abduction, 13 cases of kidnapping, 10 cases of sexual

⁵⁴ *Id.*

⁵⁵ UNICEF, Situational Analysis of Children in St. Lucia, *supra* note 1, at 42.

⁵⁶ U.S. Department of State, Bureau of Democracy, Human Rights and Labor, *Country Reports on Human Rights Practices for 2016 – Saint Lucia* 10, at <https://www.state.gov/documents/organization/265824.pdf> (last visited Apr. 15, 2019).

⁵⁷ See generally, *Fifteen Year Old Reported Missing*, St. Lucia Times, Dec. 4, 2018, at <https://stluciatimes.com/fifteen-year-old-reported-missing/> (last visited Apr. 15, 2019).

⁵⁸ Royal Saint Lucia Police Force, at <http://rsipf.gov.lc/> (site not operational as of Apr. 15, 2019).

⁵⁹ Royal Saint Lucia Police Force Child Protection Manual, *supra* note 31, at 16.

⁶⁰ *Id.*

⁶¹ *Facts You Need to Know About the Registration of Births*, at http://archive.stlucia.gov.lc/Government%20How%20To/how_to_register_a_birth.htm (last visited Apr. 15, 2019).

⁶² *Fingerprinting to become a reality in St. Lucia*, SOUTH FLORIDA CARIBBEAN NEWS, May 8, 2006, at <https://sflcn.com/fingerprinting-to-become-a-reality-in-st-lucia/> (last visited May 28, 2019) (on file with the International Centre for Missing & Exploited Children).

⁶³ *Police Clearance Certificate PCC from St. Lucia*, Real Scan Biometric, at <https://www.fingerprintexpert.in/police-clearance-certificate-from-st-lucia.html> (last visited Apr. 15, 2019).

⁶⁴ Government of Saint Lucia, *Apply for a fingerprint scan*, at <http://homeaffairs.govt.lc/services/apply-for-a-fingerprint-scan> (last visited Apr. 15, 2019).

intercourse with a person under 12, and 83 reported cases of sexual intercourse with a person 12-16 years of age.⁶⁵

Saint Lucia is an INTERPOL member country and has access to INTERPOL's databases including the International Child Sexual Exploitation (ICSE) database, Fingerprint database, and DNA database.⁶⁶ Saint Lucia also has a national DNA Database that is used in criminal investigations.⁶⁷

Case Management System

There does not appear to be a case management system in place to help manage the investigation of missing child cases.

Alert Mechanism

Parents of missing children and the Royal Police Force utilize the power of social media and the news media (i.e., HTSStLucia.org, St. Lucia Times, and St. Lucia News Online (SNO)) to appeal to the public for assistance.⁶⁸

SNO is a popular news app in Saint Lucia that provides mobile news.⁶⁹ SNO has an option allowing anyone to subscribe to their website by email and receive news alerts on pressing matters, including instances of missing children and crime.⁷⁰ They also have a Facebook page⁷¹ where news reports and alerts are posted. According to an SNO reporter, in 2014 SNO released a report of a 14-year-old missing girl and upon seeing this report, the girl returned home the next day.⁷²

In the case of a missing child, the news media is used as an avenue to spread word to the people of Saint Lucia⁷³ and typically includes a photograph of the missing child and a contact phone number and advises individuals who may have information about the child's whereabouts to call the local police.⁷⁴ However, there is no apparent connection/collaboration between the news media and the Royal Saint Lucia Police Force.⁷⁵

⁶⁵ Central Statistical Office of Saint Lucia, *Annual Statistical Digest of 2017* 268, at <https://www.stats.gov.lc/wp-content/uploads/2019/01/Statistical-Digest-2017.pdf> (last visited Apr. 15, 2019) (on file with the International Centre for Missing & Exploited Children).

⁶⁶ INTERPOL, *Who we are – Member countries – St. Lucia*, at <https://www.interpol.int/en/Who-we-are/Member-countries/Americas/ST-LUCIA> (last visited Apr. 15, 2019).

⁶⁷ INTERPOL, *Global DNA Profiling Survey 2016*, at <https://www.interpol.int/en/content/download/4875/file/INTERPOL%20Global%20DNA%20Survey%20Results%202016%20%28Public%20Version%29.pdf> (last visited May 28, 2019) (on file with the International Centre for Missing & Exploited Children). See also, *National forensic laboratory effective resource in crime fighting*, Government of Saint Lucia, Feb. 7, 2011, at <http://www.govt.lc/news/national-forensic-laboratory-effective-resource-in-crime-fighting> (last visited May 28, 2019) (on file with the International Centre for Missing & Exploited Children).

⁶⁸ Rehani Isidore, *Parents Want Help to Find Missing Girl*, HTS ST. LUCIA, Jul. 13, 2018, at <https://www.htsstlucia.org/parents-want-help-to-find-missing-teenage-girl/> (last visited Apr. 11, 2019).

⁶⁹ *SNO Mobile: What went into the app*, ST. LUCIA NEWS ONLINE, Dec. 23, 2015, at <https://www.stlucianewsonline.com/sno-mobile-what-went-into-the-app/> (last visited Apr. 15, 2019).

⁷⁰ *News Alerts*, ST. LUCIA NEWS ONLINE, at <https://www.stlucianewsonline.com/subscribe/> (last visited Apr. 15, 2019).

⁷¹ Saint Lucia News Online Facebook Page, at [https://www.facebook.com/stlucianewsonline/?hc_ref=ARTxNCaX6PpcbYlIKeTzjqgmVSTeoBocvt1P5SdBWqTqxCh_EERg6tmrSis_kD_FuehY&_xts__\[0\]=68.ARDHI_kgwujBxyc70Dyyl9F40ZQEboBuiFkJa4goXDe_l6TdfDUvgYgnksSXx8yIAC07m_6QeyqQJ8AHCDzRUEA8aqzplx:3onpo8EN3QAFtNr5blqMMbBUMXOLD5tSqrqzdDIAGM-a4GTPNOGcP9s85xjLrYucx0SAcE8OQBU1NmenVitjuOp7W7S7XBgdS02w1tWya4wyW0im_ZdPBycHyN1T8HA2xmSOGVj-JiemKaGRQRBL7oNY6yb6MzTf7_1qd1uWL6FleyfqzWjJAFUrm90IW8f6QdFpoo2nVDoQNH3UjqoyY30HOXOo8q6JZx7FKkyUT7oUf_fIQx650A&_tn_ =kC-R](https://www.facebook.com/stlucianewsonline/?hc_ref=ARTxNCaX6PpcbYlIKeTzjqgmVSTeoBocvt1P5SdBWqTqxCh_EERg6tmrSis_kD_FuehY&_xts__[0]=68.ARDHI_kgwujBxyc70Dyyl9F40ZQEboBuiFkJa4goXDe_l6TdfDUvgYgnksSXx8yIAC07m_6QeyqQJ8AHCDzRUEA8aqzplx:3onpo8EN3QAFtNr5blqMMbBUMXOLD5tSqrqzdDIAGM-a4GTPNOGcP9s85xjLrYucx0SAcE8OQBU1NmenVitjuOp7W7S7XBgdS02w1tWya4wyW0im_ZdPBycHyN1T8HA2xmSOGVj-JiemKaGRQRBL7oNY6yb6MzTf7_1qd1uWL6FleyfqzWjJAFUrm90IW8f6QdFpoo2nVDoQNH3UjqoyY30HOXOo8q6JZx7FKkyUT7oUf_fIQx650A&_tn_ =kC-R) (last visited Apr. 15, 2019).

⁷² Samuel Sukhnandan, *UPDATE: Missing teen girl returns home after story appears on SNO*, ST. LUCIA NEWS ONLINE, May 10, 2014, at <https://www.stlucianewsonline.com/teen-girl-reported-missing-to-police/> (last visited Apr. 15, 2019).

⁷³ *Fifteen Year Old Reported Missing*, *supra* note 57.

⁷⁴ *Teenager Reported Missing*, ST. LUCIA TIMES, Nov. 2, 2018, at <https://stluciatimes.com/teenager-reported-missing/> (last visited Apr. 15, 2019).

⁷⁵ *Missing Person*, DBS, Apr. 18, 2018, at <http://dbstvlucia.com/2018/04/18/missing-person/> (last visited Apr. 15, 2019).

Awareness-Raising Initiatives

Saint Lucia lacks awareness-raising initiatives regarding missing children. There are, however, numerous awareness campaigns focused on other issues relevant to child protection. For instance, Break the Silence, a campaign launched by the Ministry of Health, Wellness, Human Services and Gender Relations, in collaboration with UNICEF, served as a platform for advocacy for law enforcement, policymakers, healthcare professionals, and community leaders.⁷⁶ The campaign focused on empowering victims and families to take action in the prevention of child sexual abuse. UNICEF credits Break the Silence for being the primary reason why reporting of child sexual abuse had improved in the region over the past several years.⁷⁷

Local NGO Raise Your Voice Saint Lucia manages a variety of campaigns to support women and children impacted by gender-based violence including sexual assault, domestic violence, child sexual abuse, and physical abuse.⁷⁸ In January 2019, the Department of Home Affairs and National Security launched a Counter-Trafficking Public Awareness Campaign with the slogan “Know it, See it, Report it.”⁷⁹

Trafficking

In the U.S. Department of State’s 2018 Trafficking in Persons (TIP) Report, Saint Lucia is designated a Tier 2 country, noting that it does not fully meet the minimum standards for the elimination of trafficking, but is making significant efforts to do so.⁸⁰ Saint Lucia is a source and destination country for men, women, and children subjected to sex trafficking and forced labor.⁸¹ Local children are the most at-risk for sex trafficking.⁸² Saint Lucia has taken steps to combat trafficking by passing the Counter-Trafficking Act of 2010, though it has yet to achieve a successful prosecution.⁸³ Saint Lucia also ratified the Palermo Protocol in 2013.⁸⁴

The Counter-Trafficking Act of 2010⁸⁵ provides a blueprint to reduce human trafficking in Saint Lucia and contains provisions specifically regarding children. The definition of “trafficking in children” is laid out in Article 2 as follows:

“trafficking in children” means the recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation, irrespective of whether any of the means described in the definition of “trafficking in persons” has been established.⁸⁶

In Article 5, the offense of trafficking in persons is defined as follows:

⁷⁶ St. Lucia Launches Campaign To Deal With Sexual Abuse Of Children, PRIDE NEWS, Aug. 14, 2013, at <http://pridenews.ca/2013/08/14/st-lucia-launches-campaign-to-deal-with-sexual-abuse-of-children/> (last visited Apr. 15, 2019). See also, St. Lucian victim of child sexual abuse to ‘Break the Silence’ in Barbados, ST. LUCIA NEWS ONLINE, Nov. 20, 2012, at <https://www.stlucianewsonline.com/st-lucian-victim-of-child-sexual-abuse-to-break-the-silence-in-barbados/> (last visited Apr. 15, 2019).

⁷⁷ UNICEF, Situational Analysis of Children in St. Lucia, *supra* note 1, at 44.

⁷⁸ Raise Your Voice St. Lucia, *Current Projects*, at <http://www.rvslu.org/current-projects.html> (last visited Apr. 15, 2019).

⁷⁹ Counter-Trafficking Awareness Campaign Launched, ST. LUCIA TIMES, Jan. 29, 2019, at <https://stluciatimes.com/counter-trafficking-awareness-campaign-launched/> (last visited Apr. 15, 2019).

⁸⁰ U.S. Department of State Department, 2018 Trafficking in Persons Report – St. Lucia, at <https://www.state.gov/j/tip/rls/tiprpt/countries/2018/282752.htm> (last visited Apr. 15, 2019).

⁸¹ *Id.*

⁸² *Id.*

⁸³ *Id.*

⁸⁴ Manual on Combating Trafficking in Persons in Saint Lucia, Technical Assistance Intervention TA/040/2016 7, International Organization on Migration (IOM), ACP EU Migration Action, at https://caribbeanmigration.org/sites/default/files/repository/manual_on_combating_human_trafficking_in_saint_lucia_final.pdf (last visited Apr. 15, 2019) (on file with the International Centre for Missing & Exploited Children).

⁸⁵ Counter-Trafficking Act of 2010, at https://oig.cepal.org/sites/default/files/2010_lca_countertraffickingact.pdf (last visited Apr. 11, 2019) (on file with the International Centre for Missing and Exploited Children).

⁸⁶ Counter-Trafficking Act of 2010, Article 2 – Interpretation.

- (1) A person who engages in, conspires to engage in, attempts to engage in, assists another person to engage in, or organizes or directs another person to engage in trafficking in persons commits an offence and is liable on summary conviction to a fine not exceeding one hundred thousand dollars or a term of imprisonment not exceeding five years.
- (2) The recruitment, transportation, harbouring, or receipt of a child, or giving of payment or benefits to obtain the consent of a person having control of a child, for the purpose of exploitation, constitutes trafficking in persons irrespective of whether any of the means of trafficking in persons has been established.⁸⁷

Article 10 provides that “if the trafficking occurred as the result of abuse of power or of a position of authority, including but not limited to a parent or guardian, teacher, children’s club leader, or any other person who has been entrusted with the care or supervision of the child, four years may be added to the sentence.”⁸⁸

Article 31 outlines special considerations for child victims which may include: housing, care, privacy, and other services; special mental and physical medical care to be tailored to the child’s needs; whenever safe and possible, the child or children are to be reunited with their family; and all testimony and proceedings must be conducted with a parent or legal guardian present.⁸⁹

Articles 141 and 142 of the Criminal Code may also be used regarding the issue of child trafficking as they provide criminal penalties for procuring males or females under the age of 18 years for sexual intercourse.⁹⁰

A National Task Force for the Prevention of Trafficking in Persons was created and includes law enforcement and social service agents trained to provide victim-centered assistance.⁹¹ The Task Force helped implement the National Action Plan for Combating Trafficking in Persons (2015-2018).⁹²

INTERPOL conducted training for police, judges, lawyers, and immigration officials in Saint Lucia on investigation, victim identification, referral, and assistance in trafficking cases.⁹³ Healthcare and service providers received training on preventing and responding to human trafficking from IOM in 2018.⁹⁴ IOM also developed a Manual on Combating Trafficking in Persons in Saint Lucia to support a request by the Ministry of Home Affairs, Justice and National Security.⁹⁵

⁸⁷ Counter-Trafficking Act of 2010, Article 5 – Offences of trafficking in persons.

⁸⁸ Counter-Trafficking Act of 2010, Article 10 – Aggravated circumstances.

⁸⁹ Counter-Trafficking Act of 2010, Article 31 – Special consideration to be given to a child victim.

⁹⁰ Criminal Code of Saint Lucia (2005), *supra* note 12, Article 141 – Procuring or Aiding and Abetting; Article 142 – Procuring Defilement or Abetment of Defilement by Guardian or Parent.

⁹¹ U.S. Department of State, *supra* note 80, at 367.

⁹² *Id.*

⁹³ *Id.*

⁹⁴ *IOM Helps Saint Lucia Build Capacity to Address Human Trafficking*, IOM Regional Office for Central America, North America and the Caribbean, May 28, 2018, at <https://rosanose.iom.int/site/en/news/iom-helps-saint-lucia-build-capacity-address-human-trafficking?page=36> (last visited Apr. 15, 2019). See also, Glen Simon, *Trafficking in Persons workshop*, Apr. 12, 2018, at <http://www.govt.lc/news/trafficking-in-persons-workshop> (last visited Apr. 15, 2019).

⁹⁵ Manual on Combating Trafficking in Persons in Saint Lucia, *supra* note 84.