



SAINT LUCIA NATIONAL TRUST  
PRESS RELEASE

The concept of the Queen's Chain is established in ancient French Law and is codified in Appendix II of Volume VI of Saint Lucia's Revised Ordinances 1957. It is the portion of land that runs one hundred and eighty-six and one-half feet (186.5') inland from the high watermark.

Article 355 of the Civil Code of Saint Lucia states that *"roads and public ways maintained by the State, **the Queen's Chain**, the sea-shore, land reclaimed from the sea, ports, harbours and roadsteads, and generally all those portions of territory which do not constitute private property, are considered as being dependencies of the Crown domain."* From the language of Article 355, the Queen's Chain is therefore part of the Crown's domain and as such belongs to the people of Saint Lucia, for which the Government is the custodian.

The Saint Lucia National Trust has recently learnt that Cabinet agreed to lease the portion of the Queen's Chain that abuts the Jalousie Sugar Beach Villas Development (the resort) for a period of ninety-nine (99) years with a right to purchase the same within five years.

The matter was discussed at a meeting of members of the Saint Lucia National Trust who expressed grave concern over the decision to eventually sell the Queen's Chain to the resort. The membership was particularly concerned over the legality of the decision, as well as the precedent this sale would set. Of equal concern were the decision's implications for the Outstanding Universal Value of the Pitons Management Area and the impact that it may have on its World Heritage status.

The membership mandated the organisation to pursue all options, including legal options to prevent the sale of the Queen's Chain at Jalousie or anywhere else on the island. To this end, and in an effort to resolve the matter amicably, the Trust, through its legal representative, requested that the Honourable Attorney General put the following question to the Court of Appeal for an opinion in the form of an Attorney General's Reference under the Attorney General's Reference (Constitutional Questions) Act Cap. 17:18 of the Revised Laws of Saint Lucia 2005:

**Whether the laws of Saint Lucia authorise the Crown to alienate the Queen's Chain or any part thereof.**

The Honourable Attorney General did not respond to the above request.

As such, the Trust has sought the High Court's leave to commence Judicial Review proceedings challenging the cabinet decision on the following grounds;

## Illegality

1. The decision is illegal in that it contravenes the laws of Saint Lucia that prohibit the sale of Queen's Chain or any part thereof;

## Unreasonableness

2. The decision is unreasonable in that the Cabinet considered no material, inadequate material and/or irrelevant material/considerations prior to taking the same.
3. The decision is unreasonable in that it considerably undermines Saint Lucia's ability to meet its international obligations as set out under the UNESCO Convention Concerning the Protection of the World Cultural and Natural Heritage (the Convention);
4. The decision is unreasonable in that it was taken sometime throughout the period the Piton Management Area's World Heritage Status under the Convention was under review.
5. The decision is unreasonable in that it considerably undermines the SLNT's ability to achieve its statutory mandate as set out under section 4 (h) of the Saint Lucia National Trust Act Cap. 6.02 of the revised Laws of Saint Lucia 2005.

The Saint Lucia National Trust remains committed to its statutory mandate to conserve and protect Saint Lucia's patrimony for current and future generations. It has embarked on this course of action fully aware of the challenges Government faces in securing a brighter future for all Saint Lucians through jobs creation and opportunities for individual and collective advancement. The Trust is, however, convinced that development must be balanced and that the traditional and inalienable rights of citizens should be protected in these pursuits.

Saint Lucia National Trust

January 6, 2011