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## **National report submitted pursuant to Human Rights Council resolutions 5/1 and 16/21\***

### **Barbados**

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\* The present document is being issued without formal editing.

## Acronyms

AOFP	Adopt Our Families Programme
BANGO	Barbados Association of Non-Governmental Organisation
BERT	Barbados Economic Recovery and Transformation Plan
CADS	Case Activity Data System
CRC	Convention on the Rights of the Child
CSF	Caribbean Science Foundation
CSO	Civil Society Organisation
GBV	Gender-based violence
GOB	Government of Barbados
HMU	Household Mitigation Unit
ICT	Information and Communications Technology
ILO	International Labour Organisation
JAWS	Job Access with Speech
METVT	Ministry of Education, Technological and Vocational Training
MLSP	Ministry of Labour, Social Security and Third Sector
MPEA	Ministry of People Empowerment and Elder Affairs
NDU	National Disabilities Unit
NGO	Non-Governmental Organisation
NHRI	National Human Rights Institution
PCA	Police Complaints Authority
PWDs	Persons with Disabilities
SCTU	Sex Crimes and Trafficking Unit
SJC	Social Justice Committee
STEM	Science, Technology, Engineering and Mathematics
UNDP	United Nations Development Programme
UPR	Universal Period Review

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## I. Introduction

1. This National Report was prepared by the Government of Barbados (GOB) in fulfilment of its reporting obligations under the Fourth Cycle of the Universal Periodic Review (UPR) of the United Nations Human Rights Council. It highlights key developments that have occurred during the intervening period (2018–2022) since the last review. Specifically, it provides a status update on the implementation of the 64 supported recommendations from the UPR Third Cycle. In addition, information has been provided on key developments related to the 73 recommendations that were noted.

2. The election on 24 May 2018 of Barbados' first female Prime Minister, and her re-election on 19 January 2022 for a second term, rank among the most notable positive developments since the last review period. Another such development has been the country's transition to a Parliamentary Republic on 30 November 2021. This move is symbolically important as a post-colonial Barbados takes another step in its path towards self-realisation. While it entails, *inter alia*, the removal of the British monarchy as Barbados' Head of State and the instalment of a Barbadian national in that position, Barbados' affiliation with the British Commonwealth has been preserved. The transition to republican status also saw the passing by Parliament, on 23 November 2021, of the Charter of Barbados<sup>1</sup>. The document, though symbolic and not legally binding, sets out the rights and responsibilities of all citizens.

3. While there has been considerable positive movement on a number of fronts, the diversion of human and financial resources at the national level in order to meet immediate needs has contributed, in some measure, to the delay in the preparation and submission of the present Report. This re-allocation of already scarce resources has been occasioned by considerable unforeseen and unavoidable challenges on the global, regional and national fronts. These challenges include the global public health emergency of the COVID-19 pandemic during the 2020-2021 period; the severe ashfall from the eruption of La Soufrière volcano in the neighbouring sister island of Saint Vincent and the Grenadines in April 2021; a freak storm in June 2021 that damaged private homes and public infrastructure and the first direct hit in 65 years from a hurricane, Hurricane Elsa in July 2021.

## II. Methodology

4. This Report was prepared in accordance with the General Guidelines for the Preparation of Information for the UPR. It is the result of a consultative process among key government Ministries and agencies, as well as consultation with Civil Society stakeholders, most notably through the Social Justice Committee (SJC). The SJC was established in 2018 and is chaired by the Minister of Labour, Social Security and the Third Sector and the Minister of People's Empowerment and Elder Affairs. A coordination and administrative function was performed by the Ministry of Foreign Affairs and Foreign Trade.

5. The governmental entities that collaborated on the Report are:

- Prime Minister's Office;
- Office of the Attorney-General;
- Ministry of People's Empowerment and Elder Affairs and its specialised agencies, *i.e.* the Child Care Board, Bureau of Gender Affairs and National Disabilities Unit;
- Ministry of Education, Technical and Vocational Training;
- Ministry of Labour, Social Security and Third Sector;
- Ministry of Health and Wellness;
- Barbados Statistical Department; and
- Ministry of Foreign Affairs and Foreign Trade.

### III. Developments since the third cycle UPR report

#### A. Constitutional reform

6. Barbados remains committed to the protection and promotion of human rights of all, as enshrined in the 1966 Constitution. It also recognises that as Barbados continues its journey of nationhood, there will be junctures the significance of which will necessitate constitutional reform. Barbados' transition to a parliamentary republic on 30 November 2021 represents one such juncture. The GOB has therefore established a Constitutional Review Commission (CRC)<sup>2</sup>. The Cabinet-appointed CRC will oversee the development and enactment of a new Constitution of Barbados through, *inter alia*, in-depth multi-sector public consultation; review and consideration of proposals from the general public; and knowledge sharing and public education around the Constitution. At the end of the public consultation process, the CRC will present a report detailing its findings and making recommendations, as well as provide the Cabinet with a draft constitution for its consideration. The final stage of the constitutional reform process will be the consideration and adoption of the new Constitution by the Parliament of Barbados.

#### B. International human rights instruments

7. Since the last review, Barbados has taken the following action regarding adherence to international human rights instruments:

- International Labour Organisation (ILO) Convention 190 – Violence and Harassment in the World of Work, 2019 (Barbados' Instrument of Ratification was deposited on 1 September 2022. The Convention enters into force for Barbados on 1 September 2023); and
- Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind (Barbados deposited its Instrument of Accession on 20 February 2023).

8. Additionally, Barbados became signatory to the UN *Treaty on the Prohibition of Nuclear Weapons* in September 2022.

9. Barbados has ratified six (6) out of the nine (9) core international human rights instruments, but continues to face human resource challenges in fully meeting its reporting obligations under the various Conventions. However, in its efforts to mitigate the human resource challenges that have constrained Barbados in fully meeting its reporting obligations under the various Treaty bodies, Barbados has formally signalled its opt-in to the simplified reporting procedures (SRC) that is available to it under the Convention on the Rights of the Child (CRC). The SRC will be employed with respect to Barbados' 2023 CRC Report.

#### C. Partnership with civil society

10. The whole-of-society approach has become a hallmark of governance in Barbados. Barbados' Social Partnership model – comprising labour, private enterprise and government – was born out of the economic crisis of the early 1990's. Building and expanding on this, there has been established since 2018, the Social Justice Committee (SJC). This is the formal mechanism at the national level through which non-governmental organisations (NGOs) and civil society organisations (CSOs) are accorded their due seat at the discussion table and in the decision-making process.

11. The goal of the SJC is to assist in efforts to create a society where no one is marginalised, where there are opportunities available to all, and where all persons are physically and psychologically safe and secure. It is further mandated to consider and make recommendations on issues such as: poverty alleviation, discrimination, access to education, integration of persons with disabilities, access to employment, among others.

12. The SJC comprises 23 members, 19 of whom are appointed by the Minister responsible for the Third Sector, who each serve for a 2-year period. Representation on the

SJC is drawn from among the public sector, private sector, trade unions and third sector organizations. The SJC is chaired by the Minister of Labour, Social Security and Third Sector, with the Minister of People Empowerment and Elder Affairs serving as Deputy Chairman. The Committee comprises representation from following entities and groups:

- (a) Barbados Private Sector Association
- (b) Faith-based traditional organization
- (c) A representative from outside of the large faith- based groupings
- (d) Congress of Trade Unions and Staff Associations of Barbados
- (e) Barbados Workers' Union
- (f) National Organization of Women
- (g) Men's Empowerment Network Support
- (h) Barbados Youth Development Council
- (i) Barbados Association of Journalists and Media Personnel
- (j) Barbados National Organization of the Disabled
- (k) Barbados Council for the Disabled
- (l) Non- Credit Union Cooperative Sector
- (m) the Credit Union Movement
- (n) Barbados Association of Professional Social Workers
- (o) National Council of Parent Teachers Association
- (p) Barbados Association of Non-Governmental Organizations (BANGO)
- (q) Barbados Family Planning Association
- (r) Lesbian, Gay, Bisexual Transgender and Intersexual (LGBTI) community
- (s) Jabez House (working with sex workers)
- (t) Ministry of Labour, Social Security and Third Sector (represented by the Permanent Secretary)
- (u) Ministry of People Empowerment and Elder Affairs (represented by the Permanent Secretary).

13. A total of fourteen (14) meetings have been held since the establishment of the SJC with the last one being held on February 8, 2023. However, it should be noted that the Committee meets as often as is necessary to ensure that it is able to make input into policy discussions on matters pertaining to social justice.

#### **IV. Promotion and protection of human rights in Barbados**

14. As a general point and with specific reference to **Recommendation (Rec.) No. 96.40**, Barbados reiterates that Chapter III of the Constitution governs the fundamental rights and freedoms of the individual. As reported above, it should be noted that Barbados has commenced the process of constitutional reform. This process is expected to result in the adoption of new Constitution for Barbados.

##### **A. Administration of justice, fair trial, right to life (Rec. No. 96.75, 96.57, 96.41, 96.67–68)**

###### **Rec. No. 96.75: (Promulgate the Prevention of Corruption Act)**

15. Barbados continues to increase and enhance national efforts towards combatting corruption. One such action is the promulgation in October 2021 of the Prevention of

Corruption Bill, 2021 which provides for the prevention, investigation and prosecution of acts of corruption.

16. It should be noted that Barbados continues to rank very favourably on Transparency International's (TI's) Corruption Perception Index, which ranks levels of perceived public sector corruption in 180 countries worldwide. In TI's 2022 Report, Barbados is ranked second in the LAC region, behind Chile, in terms of the low level of perceived corruption. It ranks 29<sup>th</sup> worldwide in that same regard, falling just behind countries like the US, Austria, France, UK and Canada.

**Rec. No. 96.57: (Speed up the process to remove provisions in national law that provide for the mandatory imposition of the death penalty)**

17. The mandatory death penalty in Barbados was removed by the *Offences Against the Person (Amendment) Act 2018* following the decision of the Caribbean Court of Justice (CCJ) in *Jabarri Nervais and Dwayne Severin v The Queen* [2018] CCJ 19. Resentencing to life imprisonment or a term of years is under way for individuals previously sentenced to death in accordance with the provisions of the legislation that prohibits sentencing to death. Section 2 of the 2020-1 amendment to the *Offences Against the Person Act*, moreover, entitles an individual sentenced prior to November 19, 2018 to resentencing by the Chief Justice.

18. However, though the mandatory nature of the application of the death penalty has been removed, it remains an option under judicial discretion.

**Rec. No. 96.41: (Finalisation of National Gender Policy, Offences Against the Person (Amendment) Bill and Juvenile Justice Bill)**

19. The *National Policy on Gender* was reviewed and updated by a Consultant in 2021. This review took the topics of COVID 19 and Climate Change into consideration and these thematic areas were added to the Policy. It is envisaged that after the presentation of the revised Policy to Cabinet, the document will be shared with key stakeholders, for their comments. The Ministry expects that the Policy should be finalised by the end of 2023.

20. *The Offences against the Person (Amendment) Act* was passed in 2018. This Act makes provision for sentencing in murder cases.

21. Barbados is at an advance stage of introducing the *Child Justice Bill* into Parliament.

22. The Bill is intended to bridge the policy gaps, capture the legislative and institutional amendments necessary to provide a holistic approach to the protection of the rights of the child. Bearing this in mind, the Bill will make provisions for the reform of the criminal law applicable to children; and the repeal of the Juvenile Offenders Act, Cap. 138; and the Reformatory and Industrial Schools Act, Cap. 169. Additionally, it is intended, with the enactment of this legislation will ensure compliance with:

- the United Nations Convention on the Rights of the Child;
- the Universal Declaration of Human Rights;
- the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (“The Beijing Rules”);
- the United Nations Rules for the Protection of Juveniles Deprived of their Liberty; and
- the United Nations Guidelines for the Prevention of Juvenile Delinquency (The Riyadh Guidelines).

23. The Child Justice Bill once proclaimed will address, *inter alia*, the need to have a well-established criminal justice process for children accused of committing offences, how they are assessed, apprehended and processed through the criminal system from the police through the Courts of Barbados. The aim is to ensure that the rights of the children are protected. The Bill provides for the minimum age of criminal responsibility indicating that a child under the age of twelve (12) years is not capable of committing a criminal offence. In addition, it emphasizes the need for the child to be appropriately represented and processed

through the system or removed from any unsafe environment and be placed in a secure facility.

24. Amongst the positives envisaged with the passing of the legislation are the establishment of both a Child Justice Board and a Reintegration Board. These Boards will be equipped with persons with the right competences and professions that are accustomed engaging and interacting with children and youth. Appropriate programmes and interventions will therefore be designed and rolled out to ensure that young offenders can be rehabilitated and become equipped with the requisite knowledge, skills and behaviours that would allow them to be successfully reintegrated with their families and communities.

**Rec. No. 96.67: (Continue working towards reducing reported incidences of abuse of force by the police)**

25. Police training is undertaken on a continuous basis. The positive impact of continuous training for police officers and enhanced independent measures for investigating reports of abuse of force is evidenced by the steady decline in reports of serious assault from 4 in 2018, to zero in 2021 and 1 each in 2019 and 2022 respectively. There was also registered a decrease in instances of reports of abuse of authority from 14 in 2018 to 9 in 2022.

26. In terms of specific measures that are in place, it should be noted that Barbados maintains a system of preventative, remedial and punitive measures aimed at ensuring that instances of reported or alleged abuse of force by members of the Barbados Police Service are not only reduced, but eliminated. *The Police Act*, Part V, specifically section 32A (1)(h), prohibits members of the Barbados Police Service from abusing their authority. The penalties for breaching of section 32A (1)(h) are contained in section 34.

27. The conduct of members of the Barbados Police Service and the interaction with members of the public continue to be held under strict scrutiny by an external disciplinary body established under the Police Complaints Authority Act, *i.e.* the *Police Complaints Authority (PCA)*. Such an arrangement provides for transparency and confidence in the fact that complaints made against members of the organisation are independently investigated. The PCA's membership is comprised as follows:

- A Chairman, a Deputy Chairman and 2 other persons, all of whom are appointed by the Governor-General (now President) on the advice of the Minister (in this case, the Attorney-General);
- 1 person appointed by the Governor-General (now President) in his/her absolute discretion;
- 1 person who is a former gazetted police officer of the Police Force, who is appointed by the Governor-General (now President) on the advice of the Police Force Association, but subject to sub-paragraph (4)(c); and
- the Head of the Civil Service, as *ex officio* member.

28. The independence of the PCA is guaranteed by virtue of the fact that at least four of the members are drawn from civil society/non-governmental entities. Furthermore, under section 3(2) of the Police Complaints Authority Act Cap. 167A the PCA is established as a body corporate. Therefore, by definition it is an organization that is considered to have its own legal rights and responsibilities.

29. As part of the review process in traumatic incidents, including the use of force, the police officer involved must attend counselling facilitated by the Human Resources Department and is reassigned to administrative duties pending the outcome of the investigation.

30. The investigative process is guided by the PCA and the Office of Professional Responsibility, while the Truth Verification Unit conducts polygraph testing as a method of detecting any untruths in the investigative process.

31. There is also in place a Barbados Police Service Use of Force Policy which is designed to control, guide and protect citizens and police officers from incidents of abuse of power.



**Rec. No. 96.68: (Address backlog and undue delays in scheduling court dates and appearances of juries and defendants)**

32. To tackle the backlog of cases, there has been the addition of 5 criminal courts. In this regard, 3 criminal courts were added in October 2019 and these were augmented by a further 2 courts in December 2022 for a current total of 7 criminal courts. This has facilitated more cases to be adjudicated efficiently as evidenced by the marked increase year-over-year in cases that were concluded between 2019 and 2021. In 2019, 113 cases were adjudicated, while 2020 and 2021 saw the adjudication of 182 and 196 cases respectively. Further, there has been the implementation of Practice Direction No. 2 of 2020 which governs scheduling of cases.

33. In relation to a tracking system, there is on the cards a Case Activity Data System (CADS) which will track and collect data within the Office of the Director of Public Prosecutions (DPP). Once operationalised, it is expected that CADS would further increase efficiency and effectiveness in the judicial system. Technical level discussions are presently ongoing towards adapting the software programme to Barbados' specific needs and context as well as determining what infrastructural (*i.e.* server) upgrades are required to support the programme.

**B. Prohibition of slavery/human trafficking (Rec. No. 96.79 & 96.82):  
(Continue and increase efforts to combat human trafficking)**

34. On 26 September 2001, Barbados signed on to the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Particularly Women and Children, as an addendum to the United Nations Convention against Transnational Organised Crime. Consequently, a Sex Crimes and Trafficking Unit (SCTU) has been established, since 2013, within the Barbados Police Service's Criminal Investigation Division (CID) and the Trafficking in Persons Prevention Act 2016-9 was passed.

35. The SCTU is primarily responsible for the investigations and operational guidelines to determine, trace and dismantle any element of trafficking in persons so identified. It has adopted the victim centred approach in its response to combatting the crime of human trafficking. In addition, the SCTU has partnered with the National Task Force Against Trafficking in Persons, which is made up of representatives from various Government agencies mandated under the Trafficking in Persons legislation to establish policies and develop a National Plan of Action for the purpose of:

- (a) Prevention of trafficking in persons and children;
- (b) The identification of victims and the provision of assistance to and protection of victims identified;
- (c) The prosecution of traffickers and the repatriation of victims; and
- (d) Working in partnership with non-governmental organisations, inter-governmental organisations and other States.

36. A National Action Plan to Combat Human Trafficking 2021-2023 was approved by Cabinet on 25 March 2021. One key element of the two-year action plan is a study to determine the nature and extent of trafficking in Barbados. It is intended that the recommendations emanating from the study will guide the development of targeted interventions aimed at deterring and systematically addressing any existing issues related to human trafficking.

37. Over the review period, Barbados has witnessed an increase in police investigations of suspected cases of human trafficking, the initiation of two (2) prosecutions (in 2022) and improvements in victim screening. The country has also launched, in collaboration with the US Embassy and the UNDP Office in Barbados, a nationwide public awareness and sensitisation campaign on the human trafficking menace.

**C. Right to an adequate standard of living; right to work; health and education; economic, social, religious and cultural rights (Rec. No. 96.89, 96.91, 96.92–94, 96.95, 96.96, 96.87–88, 96.99, 96.103 & 96.114)**

**Rec. 96.88, 96.99: (Adopt legislation to outlaw discrimination based on gender including in employment/Reinforce programmes against feminization of poverty)**

38. The Employment Rights Act, 2012, as amended, *inter alia*, protects employees from unfair dismissal on grounds of race, gender, pregnancy, disability, marital status, religion, political opinion or affiliation, social origin, *etc.* Furthermore, the Employment of Women (Maternity Leave) Act protects the rights of females to retain employment during pregnancy and after confinement. The provisions of the Act grant such women a period of no less than twelve (12) weeks to recover from giving birth to a child, whether that child is born alive or not.

39. *The Domestic Employees Act* read in conjunction with the *Domestic Employees (Rate of Pay and Hours of Duty) Order, 1982*, as amended by the *Domestic Employees (Rate of Pay and Hours of Duty Amendment) Order, 2021* and its supporting subsidiary legislation protect the rights of domestic workers, restricting the number of hours they must legally work before being eligible for overtime pay.

40. Furthermore, the Employment (Prevention of Discrimination) Act, 2020, as passed in August 2020, provides the legal safeguards for ensuring that discrimination in the workplace does not occur and proscribes the procedures for treating to such in instances where acts of discrimination may occur. Specifically the Act, *inter alia*:

- Explains the concept of discrimination;
- Prohibits discrimination in relation to job creation and recruitment;
- Prohibits discrimination in relation to employment, including in terms of promotion, transfer and training; and
- Requires an employer to make reasonable adjustment for employees in relation to certain issues including disability and family responsibility.

41. In August 2022, Barbados deposited its Instrument of Ratification of the *International Labour Organisation (ILO) Convention 190 – Violence and Harassment in the World of Work, 2019*. The Convention is the first international treaty to recognise the right of everyone to a world of work free from violence and harassment, including gender-based violence and harassment.

42. As a general point, the attainment and maintenance of low levels of unemployment, whilst also ensuring that greater numbers of those that are in the world of work are gainfully employed, presents particular difficulties in micro-economies such as Barbados. The Employment Exchanges Act, however, provides the legislative framework through which all citizens who so wish are assisted with acquiring employment outside of Barbados.

**Rec. No. 96.87, 96.89, 96.90, 96.95, 96.103: (Continue to promote economic, cultural and social policies as a foundation for people’s enjoyment of all human rights and in order to provide greatest possible welfare to the population; include measures aimed at ensuring transparent efficient and accountable delivery of public services in the national development strategy)**

43. Barbados continues to pursue policies and implement programmes geared towards ensuring that all its citizens – regardless of gender, race, ethnicity or origin – are afforded an adequate standard of living. The Barbados Economic Recovery and Transformation (BERT) Plan (2018)<sup>3</sup> which was finalised and commenced implementation in May 2018 aimed at “restoring macroeconomic stability and putting the economy on a path of sustainable and exclusive growth”. It had as its main pillars the protection of “the most vulnerable in society, while restructuring and modernising the public sector, in conjunction with a comprehensive debt restructuring”. The initial BERT Plan was supported by a 4-year International Monetary Fund (IMF) arrangement under the Extended Fund Facility (EFF), as approved in October

2018. Its successor, the BERT Plan (2022)<sup>4</sup>, was passed by Parliament on 11 October 2022. It will cover the 4-year period from Fiscal Year 2022-2023 to Fiscal Year 2026-2027 and lays out Government's economic and financial programme with a focus on achieving inclusive and sustainable growth, whilst maintaining fiscal and debt sustainability.

44. Government has also pursued emergency initiatives, such as the Adopt Our Families Programme (AOFP), which was put in place in March 2020, at the front end of the COVID-19 pandemic, to provide financial assistance of BDS\$600 monthly, to those most vulnerable within the society to ensure that basic human needs were met. To date, the AOFP has provided assistance to over 5,000 families across Barbados.

45. The Household Mitigation Unit (HMU) was established in 2019. The HMU receives daily requests for assistance from vulnerable members of the society such as:

(a) The homeless, *i.e.* those persons with no fixed place of abode and who are unable to find job opportunities;

(b) Seniors (aged 60+), *i.e.* those unable to find work, due health challenges or ageism;

(c) Incarcerated, *i.e.* those persons who are the sole provider for the household, but are incarcerated thus leaving the family without support or those recently released from incarceration whose families have abandoned them, lack the skills set to find a job readily, or have difficulty in finding work due to the stigma of being an ex-convict;

(d) Victims of gun violence, *e.g.* those persons that are unable to work due to threat of retaliation; and

(e) Persons with terminal illnesses and varying medical conditions which render them unable to work.

46. Also implemented during the COVID-19 pandemic, was the funding and distribution by the GOB of food hampers to each household on the island. The food hamper distribution programme was aimed at providing practical and immediately tangible solutions to alleviating the economic pressure on families and individuals, particularly those in more vulnerable situations.

**Rec. No. 96.114: (Intensify efforts to bring national legislation on combating all forms of discrimination into line with international standards)**

47. The Sacramental Cannabis Act, 2019 has been enacted to protect the religious rights of the minority Rastafarian community by creating an exception and exempting members of that group from criminal penalties for possessing and/or smoking cannabis as a religious ritual.

**Rec. No. 96.91: (Improve access to quality health-care services for all, including in remote areas, and address challenges of maternal mortality)**

48. While health care in Barbados is composed of a mix of public and private sector actors as well as NGOs, the GOB remains the principal provider of health services. The main public sector health care institutions are the Queen Elizabeth Hospital which is the main acute care facility; the Psychiatric Hospital; a network of nine (9) polyclinics across the island; four (4) District (Geriatric) Hospitals; and a rehabilitative centre for children.

49. Efforts continue to address the issue of maternal mortality.

**Rec. No. 96.92-94, 96.96: (Explicit inclusion of the right to education in legislation/Elaborate a clear policy and/or measures for pregnant school girls that allows them to remain in formal education)**

50. The right to education is underscored by the fact that the Education Act Cap 41 of the Laws of Barbados provides that, subject to certain exceptions, education is mandatory for individuals aged 16 and under in Barbados. The term 'compulsory school age' is used in the Act. This term is defined in Section 2 to mean "*from 5 years of age to 16 years of age*". Section 41 of this Act mandates that all parents must ensure that children of compulsory

school age receive full-time education. It is an offence under the Act for parents/guardians of a child between those ages not to ensure enrolment and attendance at school.

51. Barbados recognises the value of universal education from the primary level and provides free access up to tertiary level for its citizens, regardless of sex. Enrolment in formal schooling beyond the secondary level continued to be higher among women, except for the Samuel Jackman Prescod Institute of Technology. There was little difference between the numbers of females and males enrolling and graduating in Information Technology at the Barbados Vocational and Training Board, in what can be considered a non-traditional female area. The tables in *Annex I* highlight gross enrolment by sex at the island's major tertiary institutions. Of some significance is the table indicating that female graduates of the University of the West Indies, tended to be double their male counterparts, in each year between 2017 and 2019. A similar trend was observed in the graduates of the Barbados Community College.

52. There is no written policy on the education of Teenage Mothers in Schools. However, pregnant teens are always given the opportunity to continue their education during pregnancy and after giving birth. Students usually continue until maybe three months before birth. Arrangements are made for them to continue their studies up until birth. The Queen Elizabeth Hospital always informs the Ministry of Education on the names of students, their expected due date and after they have delivered. After birth the QEH informs and indicates that the child is ready to return to school and the school is instructed to allow student resume schooling. The Ministry also does a social inquiry at the home to make sure that all support systems (Day care for baby, support for the teenage mother education and ongoing health care for her) are in place and facilitate as necessary. Once a year there is also a "*Baby and You Workshop*" for expectant and teen mothers.

**D. Women (Violence, discrimination, participation in all aspects of national life) (Rec. No: 96.108, 96.111–112, 96.115, 96.83–85, 96.104, 96.86, 96.116, 96.100–102, 96.106–107)**

**Rec. No. 96.108, 96.111–112, 96.115: (Enhance efforts to combat gender-based violence)**

53. During the period under review, the Ministry of People Empowerment and Elder Affairs, through the Bureau of Gender Affairs, cognisant of the need to develop a coordinated approach to the issue of violence against women, began a series of meetings with partners and stakeholders drawn from various ministries of Government, around the issue. A Cabinet-approved Working Committee the *National Committee on Gender-based Violence* - was subsequently established in 2019. The Committee is charged with the task of developing a national action plan against gender-based violence.

54. The issue of gender-based violence (GBV) in the workplace has also come into focus during the period under review. The Ministry of Labour and Social Partnership Relations (MLSP), in collaboration with UN Women, developed a project - Gender-based Violence in the Workplace. The 2-year project was officially launched in March 2021. The aims of the project are to:

- Bring about greater awareness and to address GBV and harassment in the workplace with a focus on the International Labour Organization's Convention 190, Recommendation 206 and relevant supporting legislation; and
- Determine the main stressors that contribute to gender-based issues, provide solutions for improved communication and build positive relationships between the different genders. It also seeks to promote wellness and general safety and health in the workplace.

55. With respect to the legislature, Barbados has continued to provide training for the Judiciary in GBV cases. In 2018 and 2019, as had been done in 2017, the Judicial Reform and Institutional Strengthening (JURIST Project) conducted training courses with members of the judicial system. In this regard, Barbados participated in the Train-the-Trainer Gender Responsive Adjudication Training. This training was designed to build capacity of judicial

officers to be more gender sensitive as well as increase their competence throughout the application of gender equality protocols in the adjudication of family law and cases involving GBV. It also sought to increase the competence of officers, in applying gender equality protocols in their day to day adjudication.

56. The recognition that any attempts to reduce violence against women must take the youth into consideration, has seen a number of initiatives to create awareness of and sensitise them to GBV. Accordingly, the Soroptimist International of Barbados provided the opportunity children to share their views on the topic, through the staging of an online video contest in the schools. The contest was designed so that young minds could explain how men and boys could act as activists for change in the campaign to end GBV. For its part, the Bureau of Gender Affairs continued to stage its annual workshop which targets young males from secondary schools and introduces them to concepts of gender, masculinity and the relationship of these concepts to GBV. Despite the COVID-19 restrictions in 2021, the Bureau was able to stage successfully an online workshop with young males from one of the country's secondary schools.

57. The Ministry of Education, Technological and Vocational Training (METVT) has implemented the Schools Positive Behavior Management Programme and the Barbados School Code of Conduct to address violence in schools.

58. In terms of reporting, the Ministry of People Empowerment and Elder Affairs established a COVID-19 hotline for vulnerable persons as well as persons who were experiencing violent acts. A Public Service Announcement was also created to sensitize the public about the hotline and to encourage those persons who were aware of any cases to call the hotline. This information was advertised through radio, print and social media as well as being televised. Special arrangements were made for those who were deaf or blind to access the hotline.

59. The Government of Barbados has over the years provided subventions to support a number of Non-governmental Organisations (NGOs) which are actively involved in the fight to reduce gender based violence. In addition, the Ministry of People Empowerment and Elder Affairs, through the Bureau of Gender Affairs work in tandem with these organisations to commemorate the 16 Days of Activism Against Gender-based Violence, which runs annually from 25 November, International Day for the Elimination of Violence against Women, to 10 December, Human Rights Day.

**Rec. No. 96.83–85, 96.104: (Gender equality and non-discrimination with respect to the conference of nationality)**

60. There is presently no discrimination towards women as it relates to the conference of nationality. The legislation relating to conference of nationality has been so revised to ensure gender equality. In this regard, it should be noted that Section 5 of the Constitution of Barbados provides as follows:

*5(1) – A person born outside Barbados after 29th November 1966 shall become a citizen of Barbados at the date of his birth if at that date his father is a citizen of Barbados otherwise than by virtue of this section or section 2(2);*

*5(2) – Subject to subsection (1) and without derogating from, or in any way affecting, that subsection, a person born outside Barbados after 29th November 1966 shall become a citizen of Barbados at the date of his birth if at the date of the birth at least one of his parents is a citizen of Barbados who was born in Barbados.*

61. Additionally, the Constitution of Barbados provides as follows at its Article 10.2:

*Any reference in this Chapter to the father of a person shall, in relation to any person born out of wedlock other than a person legitimated before 30th November 1966, be construed as a reference to the mother of that person.*

62. Concerning the matter of adoption, Section 5 of the Barbados Citizenship Act Cap. 186 provides as follows:

5(1) – *The Minister may at his discretion cause the minor child of any citizen of Barbados to be registered as a citizen of Barbados upon application made in the prescribed manner by a parent or guardian of the child.*

5(2) – *The Minister may, in such special circumstances as he thinks fit, cause any minor to be registered as a citizen of Barbados.*

5(3) – *Where under any enactment in force in Barbados relating to the adoption of children an adoption order is made in respect of a minor not a citizen of Barbados, then if the adopter or in the case of a joint adoption the male adopter is a citizen of Barbados, the minor shall become a citizen of Barbados as from the date of the order.*

**Rec. No. 96.86, 96.101–102; 96.106–107: (Elimination of stereotypical portrayal of gender in society, elimination of gender inequality, intensification of programmes to expand participation of women in more varied fields of employment)**

63. In terms of occupation segregation, the Ministry of Education, Science, Technology and Innovation (MIST) partnered with the Caribbean Science Foundation (CSF) and other agencies to provide opportunities for girls to enter into STEM fields. In one such case through Girls Power –Tech –Barbados 2018 a mentoring event was held for girls between the ages 13 -14, which focussed on computer and digital technology with the aim of encouraging girls to pursue careers in these areas.

64. Similarly, the Soroptimist International of Barbados held a workshop geared towards encouraging more females into the engineering field. In a similar vein, the Ministry of Education, Science, Technology and Vocational Training has alluded to the design of more programmes to expose women to career choices that are seen as unconventional. These career choices relate to areas such as Science, Technology, Engineering and Mathematics (STEM). Additionally, the Department of Science, Market Research and Innovation, formerly the National Council for Science and Technology, convenes an annual Science and Technology Summer Camp to expose children between the ages of seven (7) and thirteen (13) to practical aspects of Science and Technology. In 2021, the camp was conducted virtually due to the onset of the COVID-19 Pandemic.

65. Additionally, the Ministry of People Empowerment and Elder Affairs (MPEA), through the Bureau of Gender Affairs, has held discussions with UN Women on the design of messages aimed at encouraging males to participate more in care work within the household. This initiative has not yet been implemented, but is currently receiving the attention of the Bureau and will be advanced during the upcoming Fiscal Year 2023-2024.

*Gender Equality Campaign*

66. The Bureau of Gender Affairs has met with UN Women to discuss the development of a Gender Equality Campaign which would target both the private and public sectors. The goal of this Campaign is to address the issue of gender inequality between men and women, in order to facilitate equal participation of both sexes in all areas of their lives and endeavours. It is intended to target Focal Points in the Public Service, Members of Parliament, non-governmental organisations (NGOs), the faith-based community and the general public.

67. Under the Campaign, the development of a comprehensive communications strategy to raise awareness of gender mainstreaming is also envisaged with the aim of strengthening the commitment of public officers to the attainment of gender equality.

68. Plans are underway to take further action, in collaboration with stakeholders, on planning for the Gender Equality Campaign. It is envisaged that planning for the Campaign will be completed and that it will be formally launched in the upcoming Fiscal Year (2023-2024).

*Household Mitigation Unit*

69. Under the Household Mitigation Unit of the Prime Minister’s Office, women and children temporarily accommodated in shelters in refuge from domestic abuse and who require assistance over a 6-month period to regulate their new lives, may apply to for such assistance.

70. With respect to promoting public awareness of gender-based violence (GBV), the Bureau of Gender Affairs has partnered with the Barbados Professional Womens' Club on initiatives such as the "*The Power of Knowing Info Fair and Bazaar*" held in November 2022 in support of activities built around the 16 Days of Activism against GBV international campaign.

**Rec. No. 96.111: (Accord high priority to the full implementation of legislation on gender-based violence; ensure prosecution and adequate punishment of perpetrators)**

**Rec. No. 96.108: (Step up efforts to combat gender-based violence and provide adequate redress and protection to women who are victims of such violence....)**

71. Whilst there is no single, specific legislation which speaks to violence against women and children, both those groups are protected through the general offences provisions under the *Offences against the Person Act* (e.g., the provisions thereunder that speak to serious bodily harm); *Sexual Offences Act, and its 2016 amendment* (e.g., the provisions that treat to rape and sex with a minor); and Domestic Violence (Protection Order) Act which, protects, victims against acts of domestic violence. This latter Act also makes provisions for the definition of domestic violence, counselling or therapy for victims and enrolment of perpetrators into rehabilitative programmes. The Act further prioritises the safety and protection of victims and seeks to ensure that perpetrators are held accountable for the violation of human rights. The fact that the offences acts occurred in the context of a relationship or against a child would be aggravating factors considered in sentencing.

72. Barbadian law courts have been using the guidance from the Caribbean Court of Justice (CCJ) in the *Linton Pompey vs the Director of Public Prosecution (DPP)*, Guyana [2020] CCJ 7 (AJ) case. That case provides that the sentence for rape of a minor should be between 15 to 17 years imprisonment, as a starting point. This sentence may increase or decrease depending on the other aggravating or mitigating factors. There is no specific judicial guidance in relation to rape of an adult, but sentencing on conviction may be in the vicinity of 10 years.

73. Additionally, the Employment Sexual Harassment (Prevention) Act, 2017, protects women against sexual harassment in the work place.

74. At the policy level, the Barbados Police Service is guided by the Laws of Barbados with respect to combatting violence and discrimination against women and incorporates a gender-based and human rights approach. There is a victim-centred approach, ensuring that all perpetrators are held accountable for their actions, through the provisions of the relevant laws. The constitutional commitment to protect the human rights of the citizens of the country, represents the State's proactive obligation to defend women and girls from domestic and sexual violence. Training and sensitisation continue within the Police Service to ensure compliance and a high level of knowledge-based officers' response. Training is conducted in conjunction with the Regional Police Training Centre.

**Rec. No. 96.115–116: (Improve and continue to promote the representation of women in decision-making positions)**

75. The period under review witnessed further strengthening of Barbados' position with respect to the inclusion of women in decision-making positions. It is noteworthy that, since 2018, Barbados has made significant strides to include more female representation in government administration, primarily with the election of the country's first female Prime Minister, Mia Amor Mottley. Additionally, the Deputy Prime Minister (who also serves as Minister of Transport, Works and Water Resources as well as Leader of Government Business in the Parliament) and the Leader of Government Business in the Senate are both female.

76. Furthermore, elected female representation has increased to 20% in the Senate (Upper House of Parliament) where 8 of the 21 Senators are females, while females elected to the House of Assembly (Lower House of Parliament) presently number 7, constituting 23% of its 30 members.

77. In 2021, having transitioned to Parliamentary Republic status, Barbados saw the appointment of its first female President in the person of Dame Sandra Prunella Mason, FB GCMG DA SC LLD, who prior to this appointment served as Governor-General from 2018 to 2021.

78. To further underscore Barbados' culture of inclusion of women in high-ranking and decision-making positions, various Ministries and Departments throughout the Public Service are headed by female Senior Public Officers holding the following top posts:

- Permanent Secretary (as at 2020, there were 19 female Permanent Secretaries, out of a total of 27);
- Cabinet Secretary;
- Solicitor General;
- Registrar of the Supreme Court;
- Chief Fisheries Officer;
- Chief Agricultural Officer;
- Chief Education Officer;
- Chief Parliamentary Counsel;
- Chief Technical Officer;
- Postmaster General;
- Director, Child Care Board;
- Director, Bureau of Gender Affairs;
- Director, National Insurance Scheme; and
- Director of Public Prosecutions.

79. As far as the judiciary is concerned, there were seven (7) female Judges of the High Court, out of a total of fourteen (14), while the number of female Magistrates stood at approximately five (5) out of a total of ten (10). There were two (2) female Judges of Appeal out of a total of five (5).

#### **E. Children (Protection, alternative care) (Rec. No: 96.118, 96.119, 96.120, 96.126 & 96.128)**

##### **Rec. No. 96.126: (Continue to combat violence against children particularly through the provision of additional financial and human resources to the Child Care Board)**

80. The Child Care Board's budget has been increased from BDS\$13 million to BDS\$20.6 million, representing an increase of BDS\$7.6 million for Financial Year 2023-2024 over the current Financial Year (2022-2023).

##### **Rec. No. 96.118: (Harmonise legislation regarding the definition of a child, the administration of juvenile justice, violence against children and custody with the Convention on the Rights of the Child (CRC))**

81. The new Child Protection Legislation is in draft and the process is nearing completion.

82. Barbados' statute books currently carry the following pieces of legislation governing violence against children and the administration of justice:

- Prevention of Cruelty to Children Act, which seeks to protect children from neglect and violence;
- Offences Against the Person Act also provides for the protection of children against acts of violence;



- Protection of Children Act, which seeks to protect children from being victims of child pornography;
- Juvenile Offenders Act, which specifies how children are to be processed if they engage in activities that conflict with the law;
- Sexual Offences Act – this Act, and its 2016 amendment, seeks to protect children against acts of sexual violence;
- Domestic Violence (Protection Orders) Act was amended in 2016 to give an expanded definition of domestic violence and to expand the category of persons covered by the Act. The Act also defined ‘child’ and ‘child abuse’ for the purposes of the Act. The provisions regarding the protection of children are set out at Section 7(1) (b) of the Act.

**Rec. No. 96.128: (Call on international technical assistance to review the legal framework in respect of certain traditional social attitudes, in particular corporal punishment)**

83. Action remains outstanding on this recommendation.

**Rec. No. 96.120: (Take steps to address issues raised by the Committee on the Rights of the Child in 2017 with regard to the corporal punishment of children and continue its efforts to educate the population on the negative impact of such punishment)**

84. Under the Education Regulations Act, corporal punishment is still permitted as one of the duties of the Principal. In this regard, Part III Duties of the Principal 18.(j) of the Act provides that:

*“Every principal in public schools shall subject to the Act and these Regulations administer corporal punishment when necessary and delegate to the deputy principal and senior teachers, where applicable the authority to administer corporal punishment”*

85. However, the Ministry of Education, Technological and Vocational Training encourages Principals to practise alternative methods of punishment wherever possible. Accordingly, two years ago, several Principals and Guidance Counsellors of Barbados’ public schools were trained in restorative justice.

**F. Persons with disabilities – PWDs (Rec. No 96.132, 96.134, 96.133, 96.135)**

**Rec. No. 96.132: (Creative and practical applications of technology to support persons with disabilities and better integrate them into society)**

86. The National Disabilities Unit (NDU) through its Information and Communication Technology (ICT) Training for the Blind and Visually Impaired Programme, continues to leverage ICT support and assist those enrolled through online schooling during COVID. This Programme was first launched in 2007 and continues to date. Erdiston Teacher’s Training College was able to utilise the online platform to create accessible tools from which Children with Disabilities could work. In addition, visually impaired students have laptops assigned to them.

87. A new series of polymer bank notes were issued by the Barbados Central Bank on December 5, 2022. Among the new features of the notes are raised marks to assist the visually impaired to differentiate between denominations.

**Rec. No 96.133: (Continue efforts to ensure that persons with disabilities have equal access to education and health services)**

88. Advocacy has continued to play a major role for PWDs especially for children, with regards to equal access to education and health care consistent with their respective capacities.

89. NDU continues to collaborate with specialized schools such as Ann Hill and Irvin Wilson with regards to ICT and transport. The ICT consultant from the NDU, who was in place since 2007, visits these schools to assess the learning needs of students and make recommendations. PWDs are monitored and evaluated throughout their school life for this program.

90. Some schools have been retrofitted (handrails, ramps, accessible bathrooms) to accommodate PWDs. Collaboration with such institutions as the University of the West Indies, Barbados Vocational Training Board, Samuel Jackman Prescod Institute of Technology and Barbados Community College is ongoing in respect to advocating and giving technical support for the blind and visually impaired through the Adjustment to Blindness Officer's services. This involves teaching the visually impaired how to navigate their external environment and sensitizing staff of the needs and how to interact with visually impaired persons. Therefore, curriculum reform has been inclusive of embracing technology for PWDs, especially the blind and visually impaired, to gain access to equipment/resources in educational institutions. Software programmes such as JAWS, have been incorporated into the teaching of the visually impaired.

91. The Unit's ICT Program continues its classes in Computer Training, Transcription to Braille, Assistive Devices Resource Centre, and Adjustment to Blindness services. It caters to the blind and visually impaired children with the aim to improve their educational outcomes.

92. Barbados deposited its Instrument of Accession to the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind in February 2023. Accession to the Marrakesh Treaty is further demonstration of Government's commitment to raising the quality of life of persons living with disabilities in Barbados, including with respect to enhancing their prospects for personal development and education, as well as promoting more active participation in public life.

93. The A.C. Graham Development Centre continues to assess children at age of secondary school entry to assist them in accessing extra time needed to do the Barbados Secondary School Entrance Examination. The Centre also provides daycare and primary education as well as a non-academic skills component.

94. The Call-A-Ride Program of the NDU in collaboration with the Ministry of Education Technological and Vocational Training and the Transport Board, which has been in place since 2005, continues to assist children to get to school and with the Transport Board to assist adults to access medical appointments. The Call-A-Ride system transports approximately 100 children not only to and from school but to physical therapy, and dialysis daily as well as across the island to several social and rehabilitation activities such as swimming, camps etc. Further to this, the NDU has, in 2022, acquired two (2) adaptable vehicles which transport adults to medical appointments.

**Rec. No. 96.135: (Continue effective measures to ensure that children with disabilities have access to special health care)**

95. The National Disabilities Unit through its Accessibility Program, which was in place from the inception of the NDU in 1997, continues to provide financial assistance in covering areas of consultation, assessment and intervention for specialized health care such as dental health, prostheses and braces. The NDU, in collaboration with the Rehabilitation Department of the Queen Elizabeth Hospital, provides financing for prostheses, braces and other assistive living devices through outsourcing consultation and manufacturing of the same.

96. Children and some adults with disabilities continue to be assessed, seen and treated at the A.C. Graham Development Centre while generally, services for adults with disabilities continue to be fragmented, have a high cost attached if accessed privately, or unavailable for the most part. These challenges are currently under review with a view to expanding the services and improving accessibility to reduce costs. The A.C. Graham Development Centre caters to children with disabilities in such areas as physiotherapy, speech therapy, occupational therapy, audiology. All children with disabilities are to be referred to the A.C. Graham Development Centre Children for assessment in these specialized areas as necessary.

97. The above-mentioned services as well as those provided by the Public Health system, continues to promote early detection and intervention under state legislation which guides the provision for equitable and inclusive services such as:

- Immunisation services;
- Prenatal and antenatal care and monitoring for PWDs;
- Rehabilitative intervention;
- Specialized services offered by A.C. Graham Development Centre; and
- Legislative protection against sexual and gender-based violence.

98. To combat discriminatory practices against PWDs in early childhood, the state through its public health and law enforcement systems provides for protection by way of:

- Inclusion and rights to equitable health care; and
- Medical personnel are on the lookout for and report vulnerable children and adults.

**Rec. No. 96.131, 96.134: (Parliamentary Approval for Enactment of Persons with Disabilities Bill)**

99. Over the course of 2022, the Ministry of People Empowerment and Elder Affairs (MPEA) has engaged in intense work to produce Legislative and Social Policy Instruments to Improve the Lives of Persons with Disabilities.

100. As at October 2022, there have been Stakeholder meetings with all Government Ministries, Trade Unions and Non-Governmental Organizations serving PWDs in Barbados. Additionally, there were four Town-hall meetings at different locations on the Island, where PWDs and their representative were provided an opportunity to voice their recommendations for the legislative and policy documents.

101. It is intended that by March 2023 the Legislation and Policy to improve the Lives of PWDs will be passed in the Parliament of Barbados.

**Rec. No. 96.134: (Pursue legislative action to implement its obligations under the Convention on the Rights of Persons with Disabilities)**

102. The *Barbados Identity Management Bill, 2021* was passed on February 24, 2021 Sections 2, 14, 30 and 34 make special provisions for disabled persons.

103. *The Employment (Prevention of Discrimination) Act, 2020*, specifically Sections 2(1) and 3(2)(p), read in conjunction with the entire Act, prescribes against discrimination against persons with disabilities, except in certain circumstances where exclusion of such persons is warranted and as set out in Section 16(2).

**G. Establishment of a National Human Rights Institution (NHRI) – Rec. No: 96.34–39**

104. The Government of Barbados remains committed to providing the supportive environment in which all persons in the country may pursue and enjoy the highest standards of human rights as provided for in the Constitution and in keeping with the obligations of the State under international human rights law. As has been demonstrated in this report Barbados has sought to reflect its commitment to human rights through the elaboration and implementation of human rights-based policies, plans and programmes. This was done notwithstanding the severe fiscal pressures exerted on the national budget. It is, however, recognised that not all of the goals that were set have yet been achieved.

105. Regrettably, due to prevailing adverse economic circumstances, the objective of establishing an independent National Human Rights Institution (NHRI), in keeping with the Paris Principles, has not yet been realised. It should be noted that, the establishment of the Institution will require a concentration of the resources that currently are dispersed across the various Ministries, Departments and agencies of Government.

106. The allocation of resources across the current system of social protection is significant. The aim is to eventually have this system strengthened through the establishment of the NHRI.

107. The Government of Barbados has also provided significant scope for the consideration of the establishment of the NHRI in the context of the ongoing work of the Constitutional Reform Commission. Through consultation with the citizens and organisations of Barbados, whether at home or abroad, the Constitutional Reform Commission has been appointed to oversee the development and enactment of a new Constitution of Barbados.

108. As the comprehensive examination of the Constitution is undertaken, along with the ongoing audit of the functioning of public institutions, there will be scope for the advancement of the work to establish a local NHRI. It is also conceived that there will be the identification of the resources needed to support the functioning of the Institution as the Government of Barbados continues to promote and protect the fundamental rights of persons across the country.

109. At the local level, the NHRI would be expected to investigate alleged human rights violations and support victims as they seek justice and redress. The Institution would also be called upon to lead human rights education programmes to counter the attitudes and behaviours that can lead to violence and discrimination. The Government of Barbados is also of the view that a functioning and independent NHRI would assist Barbados to meet its international human rights obligations and provide advice so that international human rights standards are implemented at the national level. In short, the NHRI is intended to be an important instrument of social protection, as the Government of Barbados continues to chart a sustainable path to development.

## V. Developments on noted 3<sup>rd</sup> cycle UPR recommendations

110. The recommendations noted by Barbados during its 3<sup>rd</sup> Cycle Universal Periodic Review revolved largely around the topics of the abolition of the death penalty; refugee protection and legislation; protection of migrants and migrant workers; legislative protection for LGBTI persons; gender equality and child rights/child justice, particularly as it relates to corporal punishment. Since 2018, there has been evidence of considerable legislative progress in a number of these areas, namely the death penalty, decriminalisation of homosexual/same sex relations, and legislation on child rights and child justice.

### **Death penalty**

111. Though application of the death penalty remains an option under Judicial discretion, its mandatory nature was removed in 2018, through the 2018-32 amendment to the *Offences Against the Person Act*.

### **Decriminalisation of homosexual/same sex relations**

112. On December 12, 2022, the Supreme Court of Barbados ruled Section 9 of the *Sexual Offences Act* null and void, effectively decriminalizing buggery in Barbados.

113. In 2020, the Government of Barbados passed the *Employment (Prevention of Discrimination) Act, 2020*. Subject to exceptions contained in Part III thereof, Section 3(2)(h) of the Act proscribes discrimination on grounds of sexual orientation in employment. The concept of ‘gender identity’ is, however, not expressed in this Act.

### **Child protection/child rights**

114. The new Child Protection Legislation is in draft and the process is nearing completion.

## VI. Challenges and constraints

115. It is recognised that Barbados, in spite of the consistent efforts on the part of successive Governments since 1966 to protect and promote the enjoyment of human rights at home and abroad, continues to confront some challenges and constraints.

116. These challenges are reflected in the late or overdue reports to UN treaty bodies, the slow pace of progress towards establishing the National Human Rights Institution and frustrations and setbacks suffered as we strive to secure development. Such hurdles cannot be sustainably surmounted, based on national effort alone.

117. Multilateral cooperation is needed. Barbados, therefore, supports the collaborative relationship enjoyed with the various UN bodies, especially the offices of the OHCHR and the UNDP, which are involved in programmes to strengthen Barbados' social protection system. It is recognised that this system is extensive and deep. The framework through which Government protects and promotes human rights also benefits from ongoing relations with other institutions such as the Commonwealth, World Health Organization, Inter-American Development Bank and others. Barbados looks forward to continued cooperation with these entities and other partner countries.

## VII. Status of implementation of supported recommendations

118. Of the sixty (64) supported recommendations emanating from the UPR 3<sup>rd</sup> cycle, Barbados considers that forty-three (43) of these have been fully implemented, while another sixteen (16) have been partially implemented. For those recommendations that have been partially implemented, it should be noted that progress towards full implementation is substantial. Five (5) recommendations have not yet been implemented. For ease of reference, the recommendations and the status of implementation are presented in tabular format in *Annex II*.

### Notes

- <sup>1</sup> Further information on the Charter of Barbados may be obtained by visiting the following webpage: <https://www.barbadosparliament.com/bills/details/596>
- <sup>2</sup> Further information on Barbados Constitutional Review can be obtained by visiting the website <https://www.crcbarbados.com/>
- <sup>3</sup> For further information on the Barbados Economic Recovery and Transformation (BERT) Plan 2018, please visit the following webpage: <https://www.barbadosparliament.com/bills/details/596>
- <sup>4</sup> Additional information on the Barbados Economic Recovery and Transformation (BERT) Plan 2022 can be accessed on the following webpage: <https://www.barbadosparliament.com/bills/details/657>