



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS

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Excellency,

I have been following the third cycle of the Universal Periodic Review (UPR) of Barbados and welcome the constructive engagement of your Government during the 29th session of the UPR Working Group in January 2018.

As the final outcome report on the review of Barbados was recently adopted by the Human Rights Council at its 38th session, I am writing to follow up on a number of areas raised in two reports that my Office prepared for the review – the compilation of UN information and the summary of stakeholders' submissions – which I consider in need of particular attention over the next four and a half years until the next cycle of the UPR. In identifying these areas, I have also considered the recommendations made by 52 countries, Barbados's presentation and responses, and the action taken by the Government to implement the 71 recommendations it accepted during the second UPR cycle. The areas cover a range of issues and are set out in the annex to this letter.

I am encouraged by efforts towards the establishment of a National Human Rights Institution in Barbados. I also welcome the recent approval of the Domestic Violence (Protection Orders) (Amendment) Act, which broadens the definition of domestic violence, improves protection measures for victims and gives greater powers to law enforcement officials to intervene in these cases. I encourage your Government to continue pursuing such efforts towards accountability and prevention of gender-based violence.

I encourage Barbados to develop a national human rights action plan in order to achieve concrete results in the areas contained in the annex and to facilitate Barbados's preparations for the fourth cycle of the UPR. The development of the national human rights action plan should include consultations with all stakeholders, in particular civil society organisations, including women's rights organisations, and, where necessary, the support of international organizations, including the Office of the United Nations High Commissioner for Human Rights (OHCHR) and other United Nations entities under the leadership of the UN Resident Coordinator.

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Senator Dr. Hon. Jerome X Walcott
Minister of Foreign Affairs and Foreign Trade
Barbados



I also encourage Barbados to strengthen its national mechanism for comprehensive reporting and follow up in relation to international and regional human rights mechanisms and treaty obligations. I strongly recommend to Barbados the use of the practical guide that my Office released in 2016 on this topic and which is available at: http://www.ohchr.org/Documents/Publications/HR_PUB_16_1_NMRF_PracticalGuide.pdf

Please be advised that I will be sharing my advice with all Member States as they go through the third cycle with a view to assisting them to begin implementing the UPR recommendations early on, following the review. An important measure that can contribute positively to follow up action is voluntary mid-term reporting. I strongly encourage all Member States to submit a voluntary mid-term report two years after the adoption of the outcome report. In this regard, I encourage Barbados to submit such a report for the third cycle, by 2020.

As the Secretary-General states in his 2017 report on the work of the Organization (A/72/1, paragraph 98): *“The Human Rights Council’s universal periodic review process is now entering a new cycle, with every Member State scheduled for a third round of scrutiny. We will work to strengthen the relevance, precision and impact of the Council’s recommendations, including by providing better support to Member States in implementation, stronger collaboration with United Nations country teams and the establishment of national mechanisms for human rights reporting and follow-up to link the universal periodic review to the implementation of the Sustainable Development Goals.”*

I look forward to discussing with you ways in which my Office may assist Barbados to take action in the areas I have identified.

Please accept, Excellency, the assurances of my highest consideration.

Zeid Ra'ad Al Hussein
High Commissioner for Human Rights



Annex

Scope of international obligations and cooperation with international human rights mechanisms and bodies

- Ratification of the following international treaties: the Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty; the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and its Optional Protocol; the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; the International Convention for the Protection of All Persons from Enforced Disappearance; the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women; the Optional Protocol to CRC on the involvement of children in armed conflict, the Optional Protocol to CRC on the sale of children, child prostitution and child pornography and the Optional Protocol to CRC on a communications procedure.
- Issuance of a standing invitation to the United Nations Special Procedures mandate holders.

National human rights framework

- Establishment of a National Human Rights Institution in accordance with the Paris Principles.

Implementation of international human rights obligations, taking into account applicable international humanitarian law

A. Cross-cutting issues

Equality and non-discrimination

- Adoption of a legislation to expressly prohibit and sanction discrimination and violence based on sexual orientation and gender identity.

B. Civil and political rights

Rights to life, liberty and security of person

- Enhancement of measures aimed at preventing police abuses and effectively investigating cases of abuse and human rights violations involving police, and introduction of further mandatory human rights training programs for police.
- Abolishment of the death penalty and establishment of an official Moratorium on the death penalty.

Administration of justice, including impunity and the rule of law

- Enhancement of the judicial system with measures such as, minimizing the length of pre-trial detention, extending alternative sanctions, further strengthening the public defence system and providing specific training programs to judges and public prosecutors in accordance with relevant international human rights instruments.

Prohibition of all forms of slavery



- Adoption of further measures aimed at combatting human trafficking and protecting victims of human trafficking, such as the national policy on trafficking and the policy and procedures manual for the protection of victims of trafficking.
- Full implementation of the anti-trafficking law approved in 2016.

C. Economic, Social and Cultural Rights

Right to health

- Enhancement of efforts aimed to provide inclusive, quality and accessible health and hospital services, and the provision of information about sexual and reproductive health care, with emphasis on vulnerable groups.

Right to education

- Adoption of additional measures to improve the quality of public education, ensuring inclusive education for all, and including special measures aimed at enabling pregnant school girls to remain in formal education.

D. Rights of specific persons or groups

Women

- Adoption of additional measures aimed at strengthening gender equality and combatting all forms of discrimination against women and girls.

Children

- Adoption of a legislation aimed at increasing the minimum age of criminal responsibility.
- Adoption of specific measures aimed at eliminating corporal punishment in all settings, and at repealing all current legislation allowing corporal punishment.
- Enhancement of measures aimed at combatting and eliminating sexual violence against children.

Persons with disabilities

- Adoption of measures aimed at implementing the Convention on the Rights of Persons with Disabilities, including through the enactment of specific legislation and the development of public policies.

Migrants, refugees, asylum seekers and IDPs

- Adoption of measures aimed to further protect migrant workers against all forms of discrimination.