



Promoting and strengthening
the Universal Periodic Review

Recommendations & Pledges

BAHAMAS

Second Review Session 15

Review in the Working Group: 23 January 2013
Adoption in the Plenary: 6 June 2013

Bahamas’s responses to recommendations (as of 16.07.2013):

In the Report of the Working Group:	In the Addendum:	During the plenary:	Summary:
No response, all pending	48 recommendations were accepted (16 of which were considered as “in progress and on-going”: n°1, 18, 27-32, 38, 44, 55, 56, 58, 74, 86, and 87); 30 rejected and 20 left pending	No additional information provided	Accepted: 48 Rejected: 30 No clear position: 0 Pending: 20 Total: 98

Paragraph headers are as in the Report of the Working Group, but the nature of responses to recommendations may have subsequently been changed.

List of recommendations contained in Section II of the Report of the Working Group A/HRC/23/8:

92. The following recommendations will be examined by the Bahamas which will provide responses in due course, but no later than the twenty-third session of the Human Rights Council in June 2013:

P - 92.1. Consider ratifying the outstanding international human rights instruments to which it is not yet a party to (South Africa);

R - 92.2. Continue with the ratification of the main international instruments relating to human rights, primarily, the Rome Statute of the International Criminal Court (France);

A - 92.3. Continue the very positive track with the progress in the promotion and protection of human rights and ratify CAT as well as the CRPD (Portugal);

P - 92.4. Consider acceding to CAT (Slovenia) / Consider ratifying CAT and OP-CAT, which are already signed (Turkey);

P - 92.5. Consider acceding to other relevant human rights instruments (Slovenia);

P - 92.6. Ratify CAT and its Optional Protocol (Brazil) / Become a party to CAT as well as OP-CAT (Estonia) / Ratify the CAT and its Optional Protocol (Germany) / Ratify CAT and its Optional Protocol (Maldives);

P - 92.7. Accede to the OP-CEDAW, to further strengthen its commitment to the equality and protection of women (Australia);

R - 92.8. Consider ratifying the ICRMW (Indonesia) / Consider ratifying the ICRMW as well as ratifying the ILO Convention No. 189 (Philippines);

P - 92.9. Continue with the efforts to ratify the International Convention for the Protection of All Persons from Enforced Disappearances (Argentina);

A - 92.10. Sign and ratify the CRPD (Maldives) / Ratify the Convention on the Rights of Persons with Disabilities (CRPD) (New Zealand);

A - 92.11. Hold regular consultations with organizations representing persons with disabilities, in particular to review whether current legislation adequately addresses all the rights in the CRPD (New Zealand);

P - 92.12. Consider ratification of the third OP to the CRC on a communications procedure (Slovakia);

R - 92.13. Consider ratification of the Rome Statute of the International Criminal Court and its Agreement on Privileges and Immunities (Slovakia);

R - 92.14. Ratify the Rome Statute of the International Criminal Court (Slovenia) / Ratify the Rome Statute of the International Criminal Court (Spain);

R - 92.15. Ratify the Rome Statute of the International Criminal Court (ICC) and to accede to the Agreement on the Privileges and Immunities of the ICC (Estonia);

R - 92.16. Ratify the Rome Statute of the International Criminal Court and fully align its legislation with all the obligations under the Rome Statute, including incorporating the Rome Statute definition of crimes and general principles, as well as adopting provisions enabling cooperation with the Court (Latvia);

R - 92.17. Ratify the Rome Statute of the International Criminal Court and bring into line its legislation with the obligations under the Statute (Costa Rica);

A - 92.18. Continue its efforts to further build its capacity and increase awareness on human rights (Malaysia);

A - 92.19. Establish a national human rights institution in accordance with the Paris Principles (Germany) / Establish a national human rights institution in conformity with the Paris Principles (Malaysia) / Establish a national human rights institution (Maldives) / Establish a national institution for the promotion and protection of human rights consistent with the Paris Principles (France);

A - 92.20. Consider establishing an independent National Human Rights Institution, in full compliance with the Paris Principles (Indonesia) / Consider establishing a National Human Rights Institution in compliance with the Paris Principles as a step to strengthen the promotion and protection of human right for all its citizens (South Africa);

A - 92.21. Seek technical assistance of the OHCHR, according to its national priority, in order to address the issue of delay in reporting on the Conventions to which it is party (Algeria);

A - 92.22. Extend a standing invitation to all special procedures of the Council to further advance the respect of human rights (Spain);

A - 92.23. Extend a standing invitation to the Special Procedures of the United Nations and strengthen cooperation with the treaty bodies (France);

A - 92.24. Consider extending a standing invitation to all the special procedures mandate holders of the Human Rights Council (Latvia);

A - 92.25. Continue its cooperation with the Human Rights Council and its mechanisms and extend an open invitation to the Special Procedures (Guatemala);

A - 92.26. Consolidate the positive results in the fields of human development, the ratification of international instruments, trafficking in persons and combatting violence against women (Viet Nam);

A - 92.27. Move towards harmonization between national laws and the Convention on the Rights of the Child (Paraguay);

A - 92.28. Enhance efforts to ensure the safety and the rights of children (Bangladesh);

A - 92.29. Strengthen the rule of law and the current legal reform process for better ensuring equality, freedom and enjoyment of all human rights for its people, especially vulnerable groups like women and children (Viet Nam);

A - 92.30. Continue in its dialogue within the Constitutional Reform process with a view to adequately defining "discrimination" and guaranteeing the equal rights of all women within Bahamian society (Trinidad and Tobago);

A - 92.31. Strengthen efforts to eliminate discrimination against women (Bangladesh);

A - 92.32. Continue with its active efforts to improve its legislation to further promote gender equality and the rights of women (China);

A - 92.33. Put in place a comprehensive strategy with a result-oriented approach to eliminate stereotypes that discriminate against women in the family, the workplace, in politics and in collaboration with civil society (Norway);

A - 92.34. Adopt further measures aiming at addressing the situation of discrimination between men and women and to eradicate negative stereotypes (Italy);

P - 92.35. Amend the Sexual Offences and Domestic Violence Act to criminalize marital rape (Norway);

P - 92.36. Strengthen its legislative and policy framework to ensure women's rights are promoted and protected as a national priority, and in particular urgently consider criminalizing marital rape (Ireland);

P - 92.37. Adopt measures to address the commission of any criminal acts or violence directed towards people based on their actual or perceived race, national or ethnic origin, language, colour, religion, sex, age, mental or physical disability, sexual orientation, or any other similar factor (Canada);

A - 92.38. Request cooperation and technical assistance for the development and implementation of the Convention on the Elimination of all Forms of Discrimination against Women (Chile);

P - 92.39. Strengthen the resources given to the Office of Women's Affairs and consider the possibility of complying with the recommendations of UNHCR and CEDAW, concerning the abolition of the legal provisions that prevent the transmission of nationality to Bahamian women (Paraguay);

P - 92.40. Consider amending the legislation regarding the transmission of nationality to children of Bahamian mothers born abroad and foreign spouses in order to ensure full and effective equality of rights between men and women in this area (Peru);

P - 92.41. Ensure that Bahamian women are able to pass their nationality to their children on equal footing with men, including by withdrawing the reservation to Article 9 (2) of CEDAW (Slovakia);

P - 92.42. Consider revising relevant legislation on the matter of transfer of nationality from parents to children to ensure equal rights between men and women (Thailand);

A - 92.43. Raise public awareness about the equality of rights of women with regard to nationality, consider amending the national legal system to ensure the equal rights for women and men in this area, and continue working and promoting national initiatives aimed at gender equality in the country (Guatemala);

A - 92.44. Take the necessary measures to ensure universal birth registration, regardless of the immigration status of the parents (Mexico);

R - 92.45. Promote the reform of its legislation on death penalty in order to restrict its scope with a view to abolishing this cruel punishment (Italy);

R - 92.46. Take steps towards the abolition of the death penalty (Norway);

R - 92.47. Take steps towards a full abolition of the death penalty and to commute existing death sentences to life imprisonment terms (Slovakia);

R - 92.48. Translate the de facto moratorium on the death penalty into a formal moratorium on executions with a view to abolishing the death penalty, sign and ratify ICCPR's second protocol, and commute without delay all death sentences to terms of imprisonment (Portugal);

R - 92.49. Fully abolish the death penalty (Estonia);

R - 92.50. Abolish the death penalty and ratify the Second Optional Protocol to ICCPR (Spain);

R - 92.51. Establish a moratorium on executions, with a view to abolishing the death penalty, as established by the relevant resolutions of the UN General Assembly (Uruguay) / Establish a moratorium on the death penalty, in accordance with the resolutions of the General Assembly (Chile) / Establish a moratorium on the death penalty as a first step in acceding to the Second Optional Protocol to ICCPR (Australia) / Establish a moratorium on the use of the death penalty with a view to its permanent abolition (France);

R - 92.52. Consider, as a priority, the implementation of an effective moratorium on the imposition and execution of the death penalty, and consider the abolition of the death penalty in its domestic legislation (Ecuador);

R - 92.53. Ratify the Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty and to consider the repeal of provisions allowing for the death penalty (United Kingdom of Great Britain and Northern Ireland) / Accede to the Second Optional Protocol to the International Covenant on Civil and Political Rights (Uruguay);

A - 92.54. Consider incorporating the United Nations Rules for the Treatment of Women Prisoners and Non-Custodial Measures for Women Offenders, otherwise known as the "Bangkok Rules", as part of its programme to enhance the conditions of detainees in Her Majesty's Prison (Thailand);

A - 92.55. Review existing conditions of the Carmichael Road Detention Centre with input from independent observers to bring conditions up to international standards and investigate allegations of physical abuse by detention officers (United States of America);

A - 92.56. Continue with the policies to tackle gender based violence and the programme of "Swift Justice" (Turkey);

P - 92.57. Adopt a strategic plan which includes elements of prevention, investigation and punishment of acts of violence as well as redress for victims, awareness raising and training for law enforcement staff (Hungary);

A - 92.58. Deploy further efforts in order to prevent and punish violence against women and abuses, in particular those related to domestic violence (Italy);

A - 92.59. Ensure that a comprehensive consultation process with all stakeholders, including civil society, is carried out during the design of the Strategic Plan for the Management, Prevention and Elimination of Domestic Violence (Chile);

A - 92.60. Strengthen its efforts and measures aiming at combating violence against women and girls (Algeria);

P - 92.61. Fully implement and strengthen the legislative framework to fight against domestic violence, sexual aggressions and rape, including marital rape (France);

A - 92.62. Adopt a law on violence against women and girls in all settings as well as a strategy for its implementation (Mexico);

P - 92.63. Take legal and educative measures in order to change the population's attitude to corporal punishment of children (Norway);

R - 92.64. Enact legislation to prohibit corporal punishment of children in all settings (Portugal);

R - 92.65. Prohibit corporal punishment of children (Slovenia);

R - 92.66. Delete all references to corporal punishment from its legislation and prohibit corporal punishment of children in all settings before the next UPR cycle (Hungary);

R - 92.67. Amend its legislation to prohibit and punish corporal punishment inflicted on children in the home and school, and increase the efforts to raise awareness of the negative effects of this practice (Mexico);

R - 92.68. Repeal all legislation providing for corporal punishment as a method of education in schools and sign the Optional Protocols to the Convention on the Rights of the Child (Spain);

A - 92.69. Raise the age for criminal responsibility of boys and girls and eliminate corporal punishment against minors from the domestic legislation of the Bahamas (Ecuador);

A - 92.70. Coordinate with NGOs to ensure effective implementation of formal procedures to guide police and relevant government officials on how to identify victims of forced labour and forced prostitution among vulnerable groups, refer them to available services, and actively pursue traffickers (United States of America);

A - 92.71. Continue to strengthen its domestic framework and institutions to combat human trafficking (Singapore);

A - 92.72. Ensure effective enforcement of the Trafficking in Persons Act and continue to combat trafficking in persons as well as arms smuggling and drug trafficking (Sri Lanka);

A - 92.73. Intensify human rights mainstreaming in policy and action in combating illegal migration and human rights trafficking (Viet Nam);

A - 92.74. Take the necessary measures to establish a unified system of family courts to ensure full compliance with the State's obligation to protect, respect and enforce the right of access to justice for women, in family matters (Uruguay);

A - 92.75. Establish a fully independent oversight body to receive and investigate complaints of police misconduct and reports of human rights violations. Such a body would ensure that all complaints of excessive use of force by the security forces are subject to immediate, thorough and independent

investigation and, if state agents are charged with misconduct, that their cases are brought to trial in an expeditious manner and in line with international standards (Canada);

R - 92.76. Include sexual orientation as a prohibited ground of discrimination in its Constitution Reform process (New Zealand);

R - 92.77. Modify its legal framework in order to protect sexual minorities against discrimination (Norway);

R - 92.78. Repeal all provisions that discriminate against persons on the grounds of their sexual orientation, including in the Domestic Violence Act (Protection Orders) and the Sexual Offences and Domestic Violence Act (United Kingdom of Great Britain and Northern Ireland);

R - 92.79. Adopt legislation that prohibits discrimination on the basis of sexual orientation and gender identity, and reinforce existing constitutional provisions that prohibit discrimination based on race and national origin (United States of America);

R - 92.80. Establish and implement policies and initiatives to address discrimination on the grounds of sexual orientation or gender identity (Uruguay);

R - 92.81. Promote the necessary measures to repeal provisions discriminating people on the grounds of sexual orientation, including those contained in the Sexual Offences and Domestic Violence Act, and the Penal Code (Uruguay);

R - 92.82. Consider the possibility of furthering the measures to eliminate all discriminatory treatment on the grounds of sexual orientation (Argentina);

R - 92.83. Include same-sex couples in the Domestic Violence Act and make sure everyone is protected against domestic violence (Netherlands);

P - 92.84. Repeal all provisions giving rise to discrimination on the grounds of sexual orientation or gender identity and ensure the respect of the fundamental freedoms of all citizens (France);

A - 92.85. Continue with its efforts in the field of economic, social and cultural rights, in order to increase the quality of life of its people, particularly the most excluded sectors of the population, for which it is particularly necessary to receive the support and technical assistance from the international community required by the country (Venezuela (Bolivarian Republic of));

A - 92.86. Implement policies to guarantee that girls and women with disabilities have equal access to education, employment and work (Costa Rica);

A - 92.87. Continue to implement the socio-economic development strategies and plans, in particular those aimed at fostering women's empowerment (Cuba);

A - 92.88. Continue to implement its efforts to promote universal education and develop a knowledge-based society for long-term sustainable development (Singapore);

A - 92.89. Strengthen efforts in the sphere of education with a view to increasing school enrolment rates at primary and secondary level and achieving the target of Education for All by 2015 (Sri Lanka);

A - 92.90. Continue devoting significant resources in education, with particular consideration to human rights (Italy);

A - 92.91. Continue its endeavours in addressing the needs of the differently-abled with the aim of acceding to the UN CRPD in the near future (Trinidad and Tobago);

P - 92.92. Take further legal measures to increase the visibility and transparency of asylum applications, ensuring an open process for claimants and consistency with human rights principles (Australia);

P - 92.93. Use detention as a last resort and treat asylum seekers in accordance with international human rights standards and in compliance with the principle of *non-refoulement* (Brazil);

A - 92.94. Devise and implement an appropriate determination procedure to identify stateless persons within the Bahamas and afford them adequate protection (Ireland);

R - 92.95. Consider alternative non-custodial measures for migrants in an irregular situation, with particular attention to the specific needs of women, children – including unaccompanied children – and vulnerable categories of migrants (Peru);

A - 92.96. Adopt immigration policies that protect the human rights of immigrants and refugees and promote the integration of racial minorities among the population of Bahamas (Spain);

A - 92.97. Consider the possibility of mainstreaming a human rights approach into the immigration policies (Argentina);

A - 92.98. Consider the effective implementation of the provisions of the United Nations Convention Relating to the Status of Refugees of 1951, in particular the principle of *non-refoulement*, the access to a procedure and confidentiality for asylum seekers (Ecuador);

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