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**COMPILATION PREPARED BY THE OFFICE OF THE HIGH COMMISSIONER FOR
HUMAN RIGHTS, IN ACCORDANCE WITH PARAGRAPH 15(B) OF
THE ANNEX TO HUMAN RIGHTS COUNCIL RESOLUTION 5/1**

Barbados

This report is a compilation of the information contained in the reports of treaty bodies, special procedures, including observations and comments by the State concerned, and other relevant official United Nations documents. It does not contain any opinions, views or suggestions on the part of the Office of the High Commissioner for Human Rights (OHCHR), other than those contained in public reports issued by OHCHR. It follows the structure of the general guidelines adopted by the Human Rights Council. Information included herein has been systematically referenced in endnotes. The periodicity of the review for the first cycle being four years, most documents are dated after 1 January 2004. In the absence of recent information, the latest available reports and documents have been taken into consideration, unless they are outdated. Since this report only compiles information contained in official United Nations documents, lack of information or focus on specific issues may be due to non-ratification of a treaty and/or to a low level of interaction or cooperation with international human rights mechanisms.

I. BACKGROUND AND FRAMEWORK

A. Scope of international obligations¹

<i>Core universal human rights treaties²</i>	<i>Date of ratification, accession or succession</i>	<i>Declarations /reservations</i>	<i>Recognition of specific competences of treaty bodies</i>
ICERD	8 Nov. 1972	Yes (Art. 4 (a,b,c))	Individual complaints (art. 14): No
ICESCR	5 Jan. 1973	Arts. 7, (1a), 10(2),13(2)	-
ICCPR	5 Jan. 1973	Art. 14 (3,d)	Inter-State complaints (art. 41): No
ICCPR-OP 1	5 Jan. 1973	None	-
CEDAW	16 Oct. 1980	None	-
CRC	9 Oct. 1990	None	-

Core treaties to which Barbados is not a party: ICCPR-OP 2, CAT, OP-CAT, OP-CEDAW, CRC-OP-AC, CRC-OP-SC, CPD (signature only, 2007), CPD-OP, CED, ICRMW.

<i>Other main relevant international instruments</i>	<i>Ratification, accession or succession</i>
Convention on the Prevention and Punishment of the Crime of Genocide	Yes
Rome Statute of the International Criminal Court	Yes
Palermo Protocol ³	No
Refugees and stateless persons ⁴	No, except the 1954 Convention
Geneva Conventions of 12 August 1949 and Additional Protocols thereto ⁵	Yes, except AP III
ILO fundamental conventions ⁶	Yes
UNESCO Convention against Discrimination in Education	Yes

1. In 1999, the Committee on Rights of the Child (CRC) welcomed Barbados' commitment to give prompt consideration to the possibility of ratifying the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.⁷ In 2002 the Committee on the Elimination of Discrimination against Women (CEDAW) encouraged Barbados to continue its procedures towards ratification of OP-CEDAW and acceptance of the amendment to article 20, paragraph 1, of the Convention on the Elimination of All Forms of Discrimination against Women, relating to the Committee's meeting time.⁸ In 2005 the Committee on the Elimination of Racial Discrimination (CERD) strongly recommended that it ratify the International Convention on the Rights of Migrant Workers and members of Their Families (ICRMW) and the 1951 Convention.⁹

2. CERD also noted with concern that, due to its general character, paragraph 1 of the reservation by Barbados affects the application of a number of provisions of the Convention on the Elimination of All Forms of Racial Discrimination, in particular articles 2, 4, 5 and 6, respectively related to eliminating racial discrimination; taking measures to eradicate incitement to discrimination; prohibiting racial discrimination and guaranteeing the right of everyone before the law; and assuring everyone effective protection and remedies. Furthermore, paragraph 2 of the reservation restricts the interpretation of a key provision for the effective application of the Convention, namely article 4. CERD recommended that Barbados consider withdrawing its reservation and enact legislation to give full effect to article 4, as well as to provide for effective remedies according to article 6.¹⁰ It noted that the State has not made the optional declaration provided for in article 14 of the Convention and urged it to consider doing so.¹¹

B. Constitutional and legislative framework

3. The Human Rights Committee (HR Committee) noted in 2007 that the International Covenant on Civil and Political Rights as such had not been incorporated into Barbados' law, although many of its principles were contained in chapter 3 of the Constitution. It also noted the Constitutional Review Commission's recommendation that the amended Constitution should incorporate the State's international legal obligations and that the Constitutional Review Commission would report to Parliament on the "internationalization" of the Constitution, so as to give full consideration to all human rights norms (art. 2). Barbados was encouraged to undertake the necessary measures to incorporate the Covenant into domestic law through, inter alia, the ongoing constitutional reform process.¹²

C. Institutional and human rights infrastructure

4. The Office of the Ombudsman of Barbados was accredited with 'C' status by the International Coordinating Committee (ICC) of national human rights institutions in 2001.¹³ While taking note of the establishment of this Office, CERD in 2005¹⁴ and the HR Committee in 2007¹⁵ recommended that Barbados establish an independent national human rights institution in accordance with the Paris Principles. The HR Committee also recommended that consultations with civil society be organized to this end.¹⁶

5. CEDAW already in 2002 noted the lack of information about whether the Office of the Ombudsman established to address public grievances had received and considered complaints of violations of women's rights.¹⁷ It recommended that Barbados take measures to ensure that the Office of the Ombudsman incorporate a gender perspective in its work.¹⁸

6. CEDAW was concerned that the Bureau of Gender Affairs within the Ministry of Social Transformation, tasked with mainstreaming the concept of gender into all policies, plans and programmes of the Government, monitoring their implementation and carrying out sensitivity training in public and private agencies, did not have adequate human, financial and material resources. It noted that a National Advisory Committee on Gender Affairs had been created to assist the Bureau and advise the Government on trends and developments in gender issues, and that focal points had been appointed to form an inter-ministerial committee and ensure that programmes within their agencies and departments are gender-focused.¹⁹ CEDAW recommended that Barbados ensure that the Bureau of Gender Affairs is provided with adequate human, financial and material resources to give it sustainability, visibility and effectiveness and to ensure continual effective implementation of governmental policies and programmes related to gender equality. It also encouraged gender mainstreaming in all ministries.²⁰

D. Policy measures

7. While recognizing the existence of a range of services and programmes designed to eliminate discrimination against women, and the identification of five priority areas based on the Beijing Declaration and Platform for Action, CEDAW was concerned that no overall national plan of action had been formulated. It was also concerned that the impact of existing measures and programmes had yet to be evaluated.²¹ CEDAW recommended that Barbados formulate an integrated national plan of action to fully address the issue of discrimination against women in all its aspects. It also urged the State to make an assessment of the measures already implemented with a view to further improvements.²²

8. CERD welcomed the organization of several training programmes conducted at the Regional Police Training Department on the promotion and protection of human rights in the field of racial discrimination.²³

II. PROMOTION AND PROTECTION OF HUMAN RIGHTS ON THE GROUND

A. Cooperation with human rights mechanisms

1. Cooperation with treaty bodies

<i>Treaty body²⁴</i>	<i>Latest report considered</i>	<i>Latest concluding observations</i>	<i>Follow-up response</i>	<i>Reporting status</i>
CERD	2004	August 2005	overdue since 2006	Combined Seventeenth and eighteenth reports overdue since December 2007
CESCR	1983	April 1983		Second report overdue since 1991
HR Committee	2006	March 2007	overdue since 2008	Fourth report due in 2011.
CEDAW	2000	August 2002	--	Fifth report overdue since 1999
CRC	1996	May 1999	--	Second to Fourth reports overdue since 1997, 2002 and 2007 respectively

9. In 2005, noting that the eighth to sixteenth reports of Barbados were more than 12 years overdue when submitted, CERD invited the State party to respect the timetable it has suggested for the submission of its future reports.²⁵

2. Cooperation with special procedures

<i>Standing invitation issued</i>	No
<i>Latest visits or mission reports</i>	None
<i>Visits agreed upon in principle</i>	None
<i>Visits requested and not yet agreed upon</i>	None
<i>Facilitation/cooperation during missions</i>	--
<i>Follow-up to visits</i>	--
<i>Responses to letters of allegations and urgent appeals</i>	A total of 2 communications were sent between 1 July 2004 and 30 June 2008. Three individuals, all male, were covered by these communications. Between 1 July 2004 and 30 June 2008, the Government replied to 1 communication.
<i>Responses to questionnaires on thematic issues²⁶</i>	Barbados responded to 1 of the 12 questionnaires sent by special procedures mandate-holders ²⁷ between 1 July 2004 and 30 June 2008, within the deadlines. ²⁸

3. Cooperation with the Office of the High Commissioner for Human Rights

10. In 2004, with the support of UNDP country offices as implementing partners, the Office of the High Commissioner for Human Rights (OHCHR) provided technical cooperation in the form of small grants under the Assisting Communities Together (ACT) project, to grassroots organizations and schools to set up education against racism initiatives, including in Barbados.²⁹

B. Implementation of international human rights obligations

1. Equality and non-discrimination

11. In 2002 CEDAW welcomed legislation that promotes and protects women's rights, such as the Domicile Reform Act, the Domestic Violence (Protection Orders) Act, the Change of Name Act and the Maintenance Act, which recognizes the same maintenance rights in family relations for couples who have lived together for five years or more as married spouses.³⁰ A 2005 UNFPA report noted that Barbados has granted women property and inheritance rights within common-law unions.³¹

12. CEDAW was concerned, however, that the Constitution, which recognizes women's right to equality before the law and guarantees the fundamental rights and freedoms of all individuals, did not prohibit discrimination on the grounds of sex, and that there was no legislative definition of "discrimination against women" reflecting article 1 of the Convention, which prohibits both direct and indirect discrimination.³² CEDAW recommended that Barbados take steps to include in the Constitution and/or legislation a specific right of non-discrimination on the grounds of sex, defined in accordance with article 1 of the Convention. It called on the State to introduce procedures that would allow the enforcement of the prohibition on discrimination based on sex and to introduce effective measures, including public awareness-raising campaigns about the Convention, the Constitution and remedies to implement women's right to equality.³³

13. CEDAW remained also concerned about entrenched stereotypical attitudes and behaviour, which tended to reinforce women's inferior status in all spheres of life, and regretted that Barbados had not undertaken sustained programmes to change these social and cultural attitudes and patterns of behaviour that lead to stereotyping.³⁴ It called upon Barbados to strengthen measures aimed at changing stereotypical attitudes about the roles and responsibilities of women and men, including through sustained awareness-raising designed in collaboration with the media and women's non-governmental organizations and educational campaigns directed at both women and men. It also emphasized that a policy of gender equality in compliance with the Convention would require the recognition that women can have various roles in society, not only the important role of mother and wife, exclusively responsible for children and the family, but also as an individual person and actor in the community and in the society in general.³⁵

14. While welcoming the recommendation of the Constitutional Review Commission that gender be included in the Constitution as a ground for non-discrimination and the establishment of a Constitution Committee, which has begun redrafting the Constitution with the intention of, inter alia, including a definition of racial discrimination which would protect individuals against discriminatory actions by private persons and entities, CERD was concerned in 2005 about the lack of a legal definition of racial discrimination in line with article 1 of the Convention in its domestic legislation. CERD recommended that Barbados adopt a definition of racial discrimination that includes the elements contained in article 1 of the Convention.³⁶

15. CERD was also concerned over the lack of social movements that promote integrationist multiracial values in Barbados. It requested that the State create an enabling environment for integrationist multiracial organizations, and encouraged it to maintain dialogue with civil society organizations.³⁷

16. CERD expressed concern at the “invisible crypto-racism” mentioned by Barbados which arose as a result of the separation of black and white communities and which was rooted in social relations at the interpersonal level. CERD reminded Barbados of its general recommendation XIX according to which de facto racial segregation could arise without any initiative or direct involvement by the public authorities. It thus encouraged the State to monitor all trends which could give rise to such segregation, and to work for the eradication of any negative consequences that ensue.³⁸

17. CERD was also concerned at the absence of any complaints of racial discrimination before the High Court since 1994 and at the fact that no complaint was ever submitted before the Police Complaints Authority. CERD recommended that Barbados consider whether the lack of formal complaints might be the result of the victims’ lack of awareness of their rights, lack of confidence in the police and judicial authorities, or the authorities’ lack of attention, sensitivity, or commitment to cases of racial discrimination.³⁹

18. The HR Committee expressed concern at discrimination against homosexuals, and in particular over the criminalizing of consensual sexual acts between adults of the same sex. The State should decriminalize such acts and take all necessary actions to protect homosexuals from harassment, discrimination and violence.⁴⁰

2. Right to life, liberty and security of the person

19. While the HR Committee took note in 2007 that the death penalty had not been applied in the last 24 years, it remained concerned that Barbados’ laws made the imposition of the death penalty mandatory in respect of certain crimes, thus depriving the sentencing court of any discretion in imposing the penalty in the light of all the circumstances of the case. The State should consider the abolition of the death penalty and accession to the Second Optional Protocol to the Covenant. In the meantime, the State should amend its laws relating to the death penalty, removing the prescription of mandatory death sentences and ensuring their compatibility with article 6 of the Covenant.⁴¹

20. In 2004⁴² and 2005,⁴³ the Special Rapporteur on extrajudicial, summary and arbitrary executions had already sent two communications relating to the application of the death penalty for murder to three individuals. In these cases, the Special Rapporteur noted that no individuals had been executed since 1984. In both cases, the individuals had appealed against their sentences to the Inter-American Commission for Human Rights, but no date for the hearing had been set at the time that the executions were rescheduled. The Special Rapporteur expressed fears that the death sentences might be carried out before the cases were considered by the Inter-American Commission. In the second case, the Special Rapporteur also noted that the death penalty was mandatory for cases of murder and treason, whose constitutional validity had been upheld by the Privy Council in July 2004, and noted that this was clearly contrary to international law. The Government replied to the first case. It provided information about possibilities to appeal the sentences, informed the Special Rapporteur that Barbados had not ratified the second optional protocol to the ICCPR or its equivalent under the Organization of American States, and that its international obligations had been respected in the imposition of the sentence, including by respect for the guarantees of due process. Finally, it reported that its position that the death penalty is constitutionally protected had been referred by the Inter-American Commission to the Inter-American Court of Human Rights for an Advisory Opinion.⁴⁴

21. While taking note that the Constitution prohibits torture, and inhuman or degrading treatment or punishment, the HR Committee remained concerned about the lack of a legal definition of torture in domestic law. It recommended Barbados to introduce such definition compatible with article 7 of the Covenant.⁴⁵
22. A 2000 subregional common assessment noted that underreporting makes an estimation of the extent of the problem of violence against women difficult to determine.⁴⁶ In 2002, CEDAW expressed concern that violence against women, including domestic violence, remained a serious reality in Barbados. It was concerned that the bulk of the statistical data on violence and abuse collected by the Probation Department, the Police and the Registration Department was not disaggregated by sex⁴⁷ and made a recommendation in this regard.⁴⁸ CEDAW also urged Barbados to place a high priority on measures to address violence against women in the family and in society and to strengthen its activities and programmes to focus on sexual violence, sexual crimes, incest and prostitution, especially prostitution associated with tourism, and to provide comprehensive training for the judiciary, the police, medical personnel and other relevant groups on all forms of violence against women, including domestic violence.⁴⁹
23. While welcoming the recognition of marital rape as a sexual offence, CEDAW noted with concern that, under the Sexual Offences Act, marital rape was recognized as a crime only after the issuance of a decree of divorce, a separation order or a separation agreement, or where the husband was subject to a non-molestation order.⁵⁰ CEDAW urged Barbados to consider defining marital rape to include circumstances of de facto separation, and to create awareness of the legal remedies so that offenders could be prosecuted and punished.⁵¹
24. CRC was seriously concerned about the high proportion of children who appear to be victims of physical abuse, in most instances accompanied by psychological and emotional abuse. It was highly concerned about the subjective element involved in legislation that permits a “reasonable degree” of physical chastisement as a disciplinary method. It was also concerned that the tolerance of corporal punishment in schools will make it extremely difficult to educate parents about alternative forms of discipline.⁵² In 2007, the HR Committee was concerned that corporal punishment was still available as part of judicial sentences and was permitted within the penal and education systems. Barbados should take immediate measures to eliminate corporal punishment as a legitimate sanction in its law and to discourage its use in schools. It should also take all necessary measures towards the eventual total abolition of corporal punishment.⁵³ In 1999, CRC was concerned about legislation and policies that allow the use of flogging of children as a disciplinary measure in prisons and its use as a judicial sentence.⁵⁴
25. The HR Committee was concerned about the lack of policy and legislative responses to trafficking in human beings in Barbados. The State should ensure that the human rights of the victims of trafficking are given prominent attention in its response to this phenomenon, including with regard to provision of support and assistance to women and girls trafficked into the State for purposes of prostitution. In addition, Barbados should criminalize the trafficking of human beings in consultation with the Caribbean Community and Common Market (CARICOM).⁵⁵
26. CEDAW was concerned that there was no data on prostitution and that the issue had not been addressed.⁵⁶ CEDAW recommended the introduction of policies to ensure the prosecution of, and strong penalties for, those who exploit prostitutes. In view of the growing emphasis on tourism, CEDAW requested Barbados to provide in its next report

comprehensive information and data on the trafficking of women and girls and their exploitation in prostitution and the measures taken to prevent and combat these activities.⁵⁷

27. A 2003 ILO report noted that four laws cover protection of children from sexual exploitation: the Offences Against the Person Act; Chapter 141 (Part IV) of the Sexual Offences Act 1992-3; the Protection of Children's Act; and Chapter 146A of the Punishment of Incest Act 148. The ILO report further noted that main gaps identified are due to the absence of specific laws or regulations that specifically define the "worst forms of child labour" or "hazardous work".⁵⁸

3. Administration of justice and the rule of law

28. Although the HR Committee noted that no specific time limits had been set so far, it was concerned that the Constitutional (Amendment) Act 2002 permitted limitation of the length of time granted to condemned prisoners, including those sentenced to death, to appeal to, or to consult external bodies, including international human rights bodies such as the Human Rights Committee. Barbados should guarantee the effective right to a remedy, in particular for all persons sentenced to death. It should ensure that interim measures of protection issued by the HR Committee in cases brought by individuals under sentence of death are respected in all circumstances.⁵⁹

4. Right to participate in public and political life

29. In 2002 CEDAW was concerned that, despite the fact that the State had identified women's participation in decision-making as one of its five priorities and despite the high level of education of Barbadian women, little has been achieved in terms of women's representation in decision-making positions in the political sphere.⁶⁰ CEDAW recommended the adoption of strategies in this regard as well as temporary special measures in accordance with article 4, paragraph 1, of the Convention to increase women's representation. It also recommended that the State organize special training programmes for women and conduct, on a regular basis, awareness-raising campaigns in this regard. It recommended that the State sensitize political parties and social partners about the importance of these measures.⁶¹ A 2008 United Nations Statistics Division source indicated that the proportion of seats held by women in the national parliament decreased from 13.3 per cent in 2004 to 10 per cent in 2008.⁶²

5. Right to work and to just and favourable conditions of work

30. CEDAW noted the absence of statistical data on wages disaggregated by sex, the absence of statutory parental leave for fathers and the apparent lack of equal employment opportunity legislation⁶³ and recommended that the State to take measures in this regard.⁶⁴

31. A 2003 ILO report noted that Barbados' strong economy and extensive institutional mechanisms for education, health and social services reduce the risk of child labour, but that some children "fall through the cracks".⁶⁵ It noted that the highest incidence of child-labour-related activities were in poor communities in Bridgetown and that working children were more likely to belong to poor, large families, headed by a single mother who was in either a low-skilled, low-income job or was unemployed.⁶⁶

32. In 2008, an ILO Committee of Experts requested the Government to take the necessary measures to ensure that its legislation provides adequate protection against all acts of anti-union discrimination as well as adequate and dissuasive sanctions.⁶⁷

33. In 2008, an ILO Committee of Experts noted that it has for many years advised Barbados to amend section 4 of the Better Security Act, 1920, according to which any person who wilfully broke a contract of service or hiring, knowing that this could endanger real or personal property, was liable to a fine or up to three months' imprisonment, so as to eliminate the possibility of invoking it in a case of future strikes.⁶⁸

6. Right to social security and to an adequate standard of living

34. An ILO Committee of Experts recalled in 2008, with regard to some sections of the National Insurance and Social Security (Benefits) Regulations of 1967 and the Employment Injury (Benefits) Regulations of 1970, that Barbados shall guarantee direct payment of the benefits to all entitled beneficiaries at their place of residence, irrespective of the country in which they reside and even in the absence of a bilateral or multilateral agreement to that effect.⁶⁹

35. While acknowledging the State's social policy, which had introduced services and programmes, including the Poverty Eradication Fund, to boost entrepreneurial activities and increase self-employment and create more employment among women and youth, CEDAW was concerned at the feminization of poverty and, in particular, that women head approximately 44.4 per cent of households.⁷⁰ CEDAW recommended that Barbados ensure that governmental policies to eradicate poverty are sustainable, incorporate a gender perspective and do not marginalize women.⁷¹

36. CEDAW commended Barbados for viewing health care as a fundamental right and for providing a range of family health services in the polyclinic setting, including free ante- and post-natal care for all citizens and residents of the country. It also commended the State for the services that target women and girls, for example the Maternal and Child Health Programme, which monitors progress throughout pregnancy.⁷²

37. While noting the State's adolescent health programme, which covered a wide range of issues, including human sexuality and HIV/AIDS, and other policies and activities with respect to AIDS education and sensitization, CEDAW was concerned in 2002 that the number of women infected with HIV/AIDS had been increasing more rapidly than that of men.⁷³ A 2007 UNDG report also noted growing feminization of the HIV/AIDS epidemic.⁷⁴ CEDAW urged Barbados to address the gender dimensions of HIV/AIDS, including the power differential between women and men, which often prevented women from insisting on safe and responsible sex practices. It encouraged the State to strengthen its efforts to raise awareness and educate women and girls on means of self-protection.⁷⁵

38. CEDAW was also concerned about the increasing number of teenage pregnancies and its consequences for girls' enjoyment of the rights guaranteed by the Convention, particularly in the spheres of education and health.⁷⁶ CEDAW recommended that Barbados increase efforts to include age-appropriate sex education in school curricula and to conduct awareness campaigns so as to prevent teenage pregnancy.⁷⁷

7. Right to education

39. In 2002 CEDAW commended Barbados for providing free education, cash grants, school uniforms and grant assistance for textbooks for those in need in order to facilitate school attendance and to ensure that children, in particular girl children, up to the age of 16 years receive education.⁷⁸ A 2005 UNDP document noted that Barbados had a combined

gross enrolment ratio for primary, secondary and tertiary schools of 88 per cent.⁷⁹ According to the UNESCO Institute for Statistics, the rate of primary school-age children out of school decreased from 6 per cent in 2005 to 4 per cent in 2006. The female rate of primary school-age children out of school decreased from 6 per cent in 2005 to 4 per cent in 2006, whereas the rate of male primary school-age children out of school decreased from 6 per cent in 2005 to 3 per cent in 2006.⁸⁰

40. While taking note of the State's observation that education in Barbados was "socially guaranteed", CERD expressed concern in 2005 that the right to education as well as other economic and social rights are not adequately protected in domestic law. CERD recommended that Barbados ensure equal enjoyment of economic and social rights, including the right to education contained in article 5 (e) of the Convention.⁸¹

41. CERD noted with satisfaction the pilot education programme which has included African heritage studies, citizenry, family life and conversational foreign languages in several primary and secondary schools.⁸² CERD expressed concern at the closure of the Centre for Multiethnic Studies at the Barbados campus of the University of the West Indies which was tasked to research race and ethnicity in the Caribbean. CERD encouraged Barbados to consider reopening the Centre.⁸³

8. Migrants, refugees and asylum-seekers

42. The HR Committee was concerned by the fact that the Barbados' laws did not provide for the granting of refugee status and did not codify the principle of non-refoulement. Barbados was encouraged in its efforts to adopt asylum policies in cooperation with UNHCR and to adopt in particular in its legislation the principle of non-refoulement.⁸⁴

III. ACHIEVEMENTS, BEST PRACTICES, CHALLENGES AND CONSTRAINTS

43. The HR Committee welcomed the adoption of the Penal System Reform Act, which puts a greater emphasis on rehabilitation, as well as providing the courts with a broader range of sentencing options; the establishment in 2001 of the Police Complaints Authority to investigate complaints of ill-treatment and misconduct by police; and the adoption of the Evidence Act with its provisions for audio and videotaping of police interviews.⁸⁵ The HR Committee noted with satisfaction that the United Nations Basic Principles on the Use of Force and Firearms by Law Enforcement Officials are being implemented by the Police Force.⁸⁶

44. CERD noted with satisfaction the establishment of the Committee for National Reconciliation tasked with developing, coordinating and implementing a programme for the process of national reconciliation.⁸⁷ CERD welcomed the draft National Plan on Justice, Peace and Security as an important step in providing victims of violent crime with the right to claim compensation.⁸⁸

45. CERD noted with satisfaction the country's high ranking in the United Nations Development Programme *Human Development Report*.⁸⁹

46. In 2002 CEDAW noted with satisfaction the female literacy rate of approximately 97 per cent.⁹⁰ It also congratulated the State on having achieved a maternal mortality rate of zero.⁹¹ A WHO statistical database also noted that in 2005 Barbados had a maternal mortality ratio of 16 deaths per 100 000 live births.⁹²

47. A 2005 UNDP document noted that the Barbados Social Partnership, negotiated and agreed upon by representatives of government, employers and workers, has so far yielded four protocols, or 'social compacts' and is a model for Eastern Caribbean States.⁹³

48. A 2005 UNDP document noted that the vulnerability of Barbados is compounded by fragile ecosystems and concentrations of human settlements in coastal zones regularly afflicted by hurricanes, storm surges and floods.⁹⁴ A 2007 UNDG report noted that rising ocean temperatures and bleaching of coral reefs combine with hurricanes and floods to significantly threaten the food security of the region.⁹⁵

IV. KEY NATIONAL PRIORITIES, INITIATIVES AND COMMITMENTS

A. Pledges by the State

N/A.

B. Specific recommendations for follow-up

49. In 2007, the HR Committee requested Barbados to provide, within one year, relevant information on the implementation of the Committee's recommendations related to: the abolishment of the death penalty and accession to ICCPR-OP2; total abolition of corporal punishment; and discrimination against homosexuals and in particular the criminalization of consensual sexual acts between adults of the same sex.⁹⁶ The follow-up response has been overdue since March 2008.

50. In 2005, CERD requested the State to provide, within one year, relevant information on the implementation of the recommendations related to: lack of legal definition of racial discrimination in line with article 1 of ICERD in its domestic legislation; and the reservation by the State which affects application of a number of provisions of ICERD, in particular articles 2, 4, 5 and 6.⁹⁷ The follow-up report has been overdue since August 2006.

V. CAPACITY-BUILDING AND TECHNICAL ASSISTANCE

51. A 2007 UNDG report noted that the United Nations system is committed to supporting a framework which seeks to achieve greater policy and programme effectiveness across five priority thematic areas which include: (a) Integration of the MDGs in the Policy and Planning Framework; (b) HIV/AIDS: Advocacy and Capacity-Building; (c) Risk Reduction and Disaster Management; (d) Child, Adolescent and Youth Development and Human Security; and (e) Food Security.⁹⁸

Notes

¹ Unless indicated otherwise, the status of ratifications of instruments listed in the table may be found in *Multilateral Treaties Deposited with the Secretary-General: Status as at 31 December 2006* (ST/LEG/SER.E.25), supplemented by the official website of the United Nations Treaty Collection database, Office of Legal Affairs of the United Nations Secretariat, <http://untreaty.un.org/>.

² The following abbreviations have been used for this document:

ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
ICESCR	International Covenant on Economic, Social and Cultural Rights
ICCPR	International Covenant on Civil and Political Rights
ICCPR-OP 1	Optional Protocol to ICCPR
ICCPR-OP 2	Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
OP-CEDAW	Optional Protocol to CEDAW

CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
OP-CAT	Optional Protocol to CAT
CRC	Convention on the Rights of the Child
OP-CRC-AC	Optional Protocol to CRC on the involvement of children in armed conflict
OP-CRC-SC	Optional Protocol to CRC on the sale of children, child prostitution and child pornography
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
CPD	Convention on the Rights of Persons with Disabilities
OP-CPD	Optional Protocol to Convention on the Rights of Persons with Disabilities
CED	International Convention for the Protection of All Persons from Enforced Disappearance

³ Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.

⁴ 1951 Convention relating to the Status of Refugees and its 1967 Protocol, 1954 Convention relating to the status of Stateless Persons and 1961 Convention on the Reduction of Statelessness.

⁵ Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field (First Convention); Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea (Second Convention); Convention relative to the Treatment of Prisoners of War (Third Convention); Convention relative to the Protection of Civilian Persons in Time of War (Fourth Convention); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II); Protocol additional to the Geneva Conventions of 12 August 1949, and relating to the Adoption of an Additional Distinctive Emblem (Protocol III). For the official status of ratifications, see Federal Department of Foreign Affairs of Switzerland, at www.eda.admin.ch/eda/fr/home/topics/intla/intrea/chdep/warvic.html.

⁶ International Labour Organization Convention No. 29 concerning Forced or Compulsory Labour; Convention No. 105 concerning the Abolition of Forced Labour, Convention No. 87 concerning Freedom of Association and Protection of the Right to Organize; Convention No. 98 concerning the Application of the Principles of the Right to Organize and to Bargain Collectively; Convention No. 100 concerning Equal Remuneration for Men and Women Workers for Work of Equal Value; Convention No. 111 concerning Discrimination in Respect of Employment and Occupation; Convention No. 138 concerning Minimum Age for Admission to Employment; Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour.

⁷ CRC/C/15/Add.103, para. 19.

⁸ A/57/38, para. 253.

⁹ CERD/C/BRB/CO/16, para 22.

¹⁰ Ibid., para 14.

¹¹ Ibid., para 19.

¹² CCPR/C/BRB/CO/3, para 5.

¹³ For the list of national human rights institutions with accreditation status granted by the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (ICC), see A/HRC/7/69, annex VIII, and A/HRC/7/70, annex I.

¹⁴ CERD/C/BRB/CO/16, para 11.

¹⁵ CCPR/C/BRB/CO/3, para 6.

¹⁶ Ibid., para 6.

¹⁷ A/57/38, para. 227.

¹⁸ Ibid., para. 228.

¹⁹ Ibid., para. 229.

²⁰ Ibid., para. 230.

²¹ Ibid., para. 231.

²² Ibid., para. 232.

²³ CERD/C/BRB/CO/16, para 7.

²⁴ The following abbreviations have been used for this document:

CERD	Committee on the Elimination of Racial Discrimination
CESCR	Committee on Economic, Social and Cultural Rights
HR Committee	Human Rights Committee
CEDAW	Committee on the Elimination of Discrimination against Women

CRC Committee on the Rights of the Child

²⁵ CERD/C/BRB/CO/16, para 3.

²⁶ The questionnaires included in this section are those which have been reflected in an official report by a special procedure mandate-holder.

²⁷ See (a) report of the Special Rapporteur on the right to education (A/HRC/4/29), questionnaire on the right to education of persons with disabilities sent in 2006; (b) report of the Special Rapporteur on the human rights of migrants (A/HRC/4/24), questionnaire on the impact of certain laws and administrative measures on migrants sent in 2006; (c) report of the Special Rapporteur on trafficking in persons, especially women and children (A/HRC/4/23), questionnaire on issues related to forced marriages and trafficking in persons sent in 2006; (d) report of the Special Representative of the Secretary-General on human rights defenders (E/CN.4/2006/95 and Add.5), questionnaire on the implementation of the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms sent in June 2005; (e) report of the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people (A/HRC/6/15), questionnaire on the human rights of indigenous people sent in August 2007; (f) report of the Special Rapporteur on trafficking in persons, especially in women and children (E/CN.4/2006/62) and the Special Rapporteur on the sale of children, child prostitution and child pornography (E/CN.4/2006/67), joint questionnaire on the relationship between trafficking and the sent in July 2005; (g) report of the Special Rapporteur on the right to education (E/CN.4/2006/45), questionnaire on the right to education for girls sent in 2005; (h) report of the Working Group on mercenaries (A/61/341), questionnaire concerning its mandate and activities sent in November 2005; (i) report of the Special Rapporteur on the sale of children, child prostitution and child pornography (A/HRC/4/31), questionnaire on the sale of children's organs sent on July 2006; (j) report of the Special Rapporteur on the sale of children, child prostitution and child pornography (E/CN.4/2005/78), questionnaire on child pornography on the Internet sent in July 2004; (k) report of the Special Rapporteur on the sale of children, child prostitution and child pornography (A/HRC/7/8), questionnaire on assistance and rehabilitation programmes for child victims of sexual exploitation sent in July 2007; (l) report of the Special Representative of the Secretary-General on the issue of human rights and transnational corporations and other business enterprises (A/HRC/4/35/Add.3), questionnaire on human rights policies and management practices.

²⁸ The questionnaire on child pornography on the Internet (E/CN.4/2005/78) sent in July 2004.

²⁹ 2004 OHCHR Annual Report, p. 225.

³⁰ A/57/38, para. 221.

³¹ UNFPA, State of World Population 2005, New York, 2005, p. 14.

³² A/57/38, para. 225.

³³ Ibid., para. 226.

³⁴ Ibid., para. 233.

³⁵ Ibid., para. 234.

³⁶ CERD/C/BRB/CO/16, para 10.

³⁷ Ibid., para 12.

³⁸ Ibid., para 13.

³⁹ Ibid., para 15.

⁴⁰ CCPR/C/BRB/CO/3, para 13.

⁴¹ Ibid., para 9.

⁴² E/CN.4/2005/7/Add.1, para. 32.

⁴³ E/CN.4/2006/53/Add.1, pp. 34- 36

⁴⁴ E/CN.4/2005/7/Add.1, para.33.

⁴⁵ CCPR/C/BRB/CO/3, para 11.

⁴⁶ Sub-regional Common Assessment of Barbados and the OECS, p. 55, available at www.undg.org/archive_docs/1399-Barbados_CCA_-_Barbados_2000.pdf.

⁴⁷ A/57/38, para. 237.

⁴⁸ Ibid., para. 238.

⁴⁹ Ibid., para. 238.

⁵⁰ Ibid., para. 239.

⁵¹ Ibid., para. 240.

⁵² CRC/C/15/Add.103, para. 22.

⁵³ CCPR/C/BRB/CO/3, para 12.

⁵⁴ CRC/C/15/Add.103, para. 19.

⁵⁵ CCPR/C/BRB/CO/3, para 8.

⁵⁶ A/57/38, para. 235.

⁵⁷ Ibid., para. 236.

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- ⁵⁸ ILO Subregional Office for the Caribbean Port of Spain, Trinidad, “Barbados: The situation of children in the worst forms of child labour in a tourism economy”, pp. 22-24, available at www.unicef.org/lac/spbarbados/Implementation/CP/National/RABarbarados_ILO_2002.pdf.
- ⁵⁹ CCPR/C/BRB/CO/3, para 7.
- ⁶⁰ A/57/38, para. 241.
- ⁶¹ Ibid., para. 242.
- ⁶² United Nations Statistics Division coordinated data and analyses, available at <http://mdgs.un.org/unsd/mdg/Data.aspx?cr=52> (accessed on 11 July 2008).
- ⁶³ A/57/38, para. 243.
- ⁶⁴ Ibid., para. 244.
- ⁶⁵ ILO Subregional Office for the Caribbean Port of Spain, Trinidad, “Barbados: The situation of children in the worst forms of child labour in a tourism economy”, p. 59, available at www.unicef.org/lac/spbarbados/Implementation/CP/National/RABarbarados_ILO_2002.pdf.
- ⁶⁶ Ibid.
- ⁶⁷ See ILO Committee of Experts on the Application of Conventions and Recommendations, 2008, Geneva.
- ⁶⁸ Ibid..
- ⁶⁹ Ibid..
- ⁷⁰ A/57/38, para. 245.
- ⁷¹ Ibid., para. 246.
- ⁷² Ibid., para. 224.
- ⁷³ Ibid., para. 247.
- ⁷⁴ See 2007 Resident Coordinator Annual Report Barbados, p. 1, available at http://www.undg.org/RCAR/07/finalized/pdfs/RCAR_2007_BAR_NAR.pdf.
- ⁷⁵ A/57/38, para. 248.
- ⁷⁶ Ibid., para. 249.
- ⁷⁷ Ibid., para. 250.
- ⁷⁸ Ibid., para. 222.
- ⁷⁹ See Subregional programme document for the countries of the Organization of Eastern Caribbean States and Barbados (2005-2009), para. 16, at <http://www.undp.org/latinamerica/country-docs/SPD-Barbarados-English%202005-2009.pdf>.
- ⁸⁰ UNESCO Institute for Statistics, available at http://stats.uis.unesco.org/unesco/TableViewer/document.aspx?ReportId=136&IF_Language=eng&BR_Topic=0.
- ⁸¹ CERD/C/BRB/CO/16, para 16.
- ⁸² Ibid., para 8.
- ⁸³ Ibid., para 17.
- ⁸⁴ CCPR/C/BRB/CO/3, para 10.
- ⁸⁵ Ibid., para. 3.
- ⁸⁶ Ibid., para 4.
- ⁸⁷ Ibid., para 4.
- ⁸⁸ Ibid., para 5.
- ⁸⁹ Ibid., para 9.
- ⁹⁰ A/57/38, para. 222.
- ⁹¹ Ibid., para. 223.
- ⁹² WHO, Statistical Information System, available at [www.who.int/whosis/data/Search.jsp?countries=\[Location\].Members](http://www.who.int/whosis/data/Search.jsp?countries=[Location].Members).
- ⁹³ Second Sub-regional programme document for the countries of the Organization of Eastern Caribbean States and Barbados (2005-2009), 2005, p. 5, available at <http://www.undp.org/latinamerica/country-docs/SPD-Barbarados-English%202005-2009.pdf>.
- ⁹⁴ See Subregional programme document for the countries of the Organization of Eastern Caribbean States and Barbados (2005-2009), para. 11, at <http://www.undp.org/latinamerica/country-docs/SPD-Barbarados-English%202005-2009.pdf>.
- ⁹⁵ See 2007 Resident Coordinator Annual Report Barbados, p. 1, at http://www.undg.org/RCAR/07/finalized/pdfs/RCAR_2007_BAR_NAR.pdf.
- ⁹⁶ CCPR/C/BRB/CO/3, para 15.
- ⁹⁷ CERD/C/BRB/CO/16, para 24.
- ⁹⁸ See 2007 Resident Coordinator Annual Report Barbados, p. 1, available at http://www.undg.org/RCAR/07/finalized/pdfs/RCAR_2007_BAR_NAR.pdf.