

## I. EXECUTIVE SUMMARY

1. Barbados has maintained a de facto moratorium on imposition of the death penalty since its last reported execution in 1984, but courts in Barbados sentenced three people to death as recently as 2016.<sup>1</sup> The State has not provided an adequate response to two cases brought before the Inter-American Court of Human Rights (IACHR), *Boyce v. Barbados* (2007) and *DaCosta Cadogan v. Barbados* (2009).<sup>2</sup> In the last UPR, Barbados received recommendations from several countries regarding the death penalty, including suggestions to ratify the Convention against Torture (CAT) and the Second Optional Protocol to the International Covenant on Civil and Political Rights, and to eliminate mandatory death sentences. Barbados accepted recommendations to finalize the process to abolish the current mandatory death sentence scheme, to “take action to promote and increase the opportunities for public and open debates on the death penalty,” and to follow up on the “request of the Inter-American Court to . . . ratify the Optional Protocols to the International Covenant on Civil and Political Rights and to abolish the death penalty.”<sup>3</sup> Yet Barbados has made little progress toward implementing these recommendations. Barbados insists that lack of public, bipartisan support for abolition explains its unwillingness to abolish the mandatory death penalty and to instate a formal moratorium on the death penalty.<sup>4</sup> News reports from the last two years, however, demonstrate the presence of dialogue and the potential for progress regarding the mandatory death penalty.

## II. BACKGROUND AND FRAMEWORK

### A. 2013 Universal Periodic Review of Barbados

#### 1. Barbados’ Response to UPR Recommendations

2. During its second UPR, Barbados received 19 recommendations regarding the death penalty, including suggestions to ratify the CAT and the Second Optional Protocol of the ICCPR, and two on the mandatory death penalty. While commending Barbados for its *de facto* moratorium, countries recommended that Barbados establish a formal moratorium as an initial step toward abolition.<sup>5</sup> Many countries also recommended that Barbados ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights (ICCPR-OP2) and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) along with the Optional Protocol to the CAT.<sup>6</sup>

3. The Barbadian government responded to these recommendations by reaffirming its *de facto* moratorium and noting the absence of national or bipartisan consensus for the abolition of the death penalty.<sup>7</sup> In response to critiques of the mandatory death penalty, the Government referred to the preparation of draft legislation for introduction into Parliament.<sup>8</sup> Barbados accepted



recommendations to “speed up” and move forward with the abolition of the mandatory death penalty and “increase the opportunities for public and open debates on death penalty.”<sup>9</sup>

## 2. *Barbados’ Implementation of UPR Recommendations*

### a. Moratorium on and Abolition of the Death Penalty

#### **Status of Implementation: Not Accepted, not implemented**

4. Barbados did not support recommendations from 10 countries urging it to consider abolishing the death penalty and to officially establish a complete and formal moratorium on the death penalty with a view to its abolition. Barbados noted the lack of “national consensus or bipartisan support for the abolition of capital punishment.”<sup>10</sup>

### b. Ratification of Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

#### **Status of Implementation: Not Accepted, not implemented**

5. Seven countries recommended that Barbados ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT). Barbados noted the recommendations and explained that it “faced many challenges in complying with reporting obligations.”<sup>11</sup> Torture is illegal under Barbadian law, but Hungary cited the existence of complaints regarding police misconduct and beatings.<sup>12</sup>

### c. Elimination of the Mandatory Death Penalty

#### **Status of Implementation: Accepted, Partially Implemented**

6. Despite committing to remove the mandatory death penalty during the 2008 UPR and accepting recommendations from Germany, Hungary, and Italy during the 2013 UPR to finalize the process to abolish the current mandatory death sentence scheme, Barbados continues to apply the law.<sup>13</sup> In 2016, Barbadian courts sentenced three men to death after they were convicted of murder.<sup>14</sup> A draft of the Offences Against the Person (Amendment) Bill 2014, which would eliminate the mandatory death penalty, remains under consideration in Parliament. This bill, although not yet passed, represents partial implementation of Barbados' commitment.

### d. Promotion of Public Discourse on the Death Penalty



**Status of Implementation: Accepted, Not Implemented**

7. In 2013, Barbados accepted Italy’s recommendation and gave assurances that it would “take action to promote and increase the opportunities for public and open debates on death penalty.”<sup>15</sup> It appears little has been done since 2013, despite Attorney General Brathwaite’s oral commitment to implement this recommendation.<sup>16</sup>

e. Ratification of the Optional Protocols to the ICCPR

**Status of Implementation: Accepted, Not Implemented**

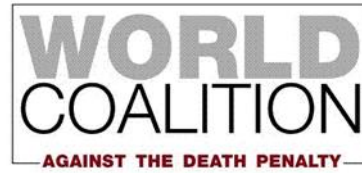
8. During Barbados’s Universal Periodic Review in 2013, the Government of Barbados accepted a recommendation to “[f]ollow up on the request of the Inter-American Court to . . . ratify the Optional Protocols to the International Covenant on Civil and Political Rights and to abolish the death penalty.”<sup>17</sup> However, it appears that Barbados has not made significant progress towards implementing this recommendation as it has not ratified either of the Optional Protocols.<sup>18</sup>

**B. Domestic Legal Framework**

*1. Legal Basis for the Death Penalty*

9. Given Barbados’ status as a common-law country and a commonwealth realm, both international cases and acts of Parliament shape Barbadian law. The Barbados Offences Against the Person Act and the Barbados Treason Act stipulate that crimes punishable by the death penalty in Barbados include murder, terrorism-related offenses resulting in death prior to May 30, 2002, terrorism-related offenses not resulting in death prior to May 30, 2002, treason, espionage, and military offenses not resulting in death.<sup>19</sup>

10. Of the Caribbean countries, only Barbados and Trinidad and Tobago continue to sentence people to death based on a mandatory death penalty scheme.<sup>20</sup> St. Kitts and Nevis and St. Lucia have eliminated the mandatory death penalty and the Dominican Republic and Haiti have both abolished capital punishment.<sup>21</sup> The death penalty in Barbados is mandatory for murder, terrorism-related offenses, and treason.<sup>22</sup> Only minors under the age of 18, pregnant women, and, in cases of murder, people with intellectual and psychosocial disabilities, are exempt from the death penalty for those crimes.<sup>23</sup> Section 2 of the Offences Against the Person Act states: “Any person convicted of murder shall be sentenced to, and suffer, death.”<sup>24</sup> Because parliament enacted this law prior to the adoption of the current Barbadian Constitution, domestic courts are precluded from

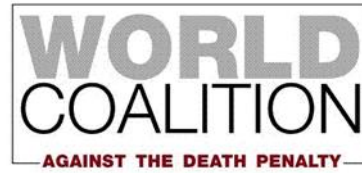


invalidating mandatory death sentences for murder under the “savings clause” in section 26 of the Constitution.<sup>25</sup>

11. In 2003, Barbados withdrew from the Judicial Committee of the Privy Council in response to the Privy Council’s anti-death penalty rulings and recognized the Caribbean Court of Justice as the country’s final court of instance.<sup>26</sup> Additionally, as party to the American Convention on Human Rights, Barbados is subject to the jurisdiction of the Inter-American Court for Human Rights (IACHR).<sup>27</sup> The Governor General has the power to grant clemency based on the Barbados Privy Council’s recommendations.<sup>28</sup>
12. Article 15 of the Constitution of Barbados states that “no person shall be subjected to torture or to inhuman or degrading punishment.”<sup>29</sup> A 2002 amendment passed in response to Privy Council rulings exempts from this provision capital punishment, the delay of a death sentence, and the holding of death row inmates.<sup>30</sup>

## 2. Use of the Death Penalty in Practice

13. The last execution in Barbados occurred in 1984, constituting a 33-year *de facto* moratorium on imposition of capital punishment.<sup>31</sup> Despite the *de facto* moratorium on executions, Barbados continues to sentence individuals to death. Thirteen people currently reside on death row, three of whom were sentenced to death in 2016 after being convicted of murder.<sup>32</sup> Since 2011, the death row population has increased from four to thirteen.<sup>33</sup> Although no law dictates the method of execution, in practice Barbados ordinarily executes inmates by hanging.<sup>34</sup>
14. Current death row inmates are housed in the Dodds prison facility.<sup>35</sup> Lawyers are available for indigent defendants facing capital trials and for those on appeal.<sup>36</sup>
15. Courts have decided three important cases concerning the death penalty in Barbados in the last 25 years: *Bradshaw v. Attorney General of Barbados*, *Boyce v. Barbados*, and *DaCosta Cadogan v. Barbados*. In *Bradshaw*, the Judicial Committee of the Privy Council set a five-year statute of limitations to legally carry out an execution as an extension of the “Pratt rule” from the Privy Council decision in *Pratt and Morgan v. Attorney General for Jamaica*.<sup>37</sup> It is unclear whether Barbados still follows the precedent set by this case especially since Barbados is no longer under the jurisdiction of the Privy Council.
16. In *Boyce*, the Privy Council in 2004 upheld Barbados’ mandatory death sentence scheme because the constitution of Barbados precludes retroactive invalidation of laws instituted



prior to the enactment of the constitution.<sup>38</sup> On appeal in *Boyce*, the IACHR ruled that the mandatory death penalty violated “the prohibition against the arbitrary deprivation of life and fail[ed] to limit the application of the death penalty to the most serious crimes, in contravention of Articles 4(1) and 4(2) of the American Convention on Human Rights.”<sup>39</sup> The court likewise suggested that the mandatory death penalty violated Articles 2, 5, and 8 of the American Convention on Human Rights.<sup>40</sup> The court ordered Barbados to amend its constitution in accordance with the Convention.

17. Similarly, in *DaCosta Cadogan*, the IACHR found that Barbados had violated articles 2,5, 8, 4(1) and 4(2) of the American Convention on Human Rights and held that the mandatory death sentence violated the right to life. The court further ordered that Barbados must inform defendants of their right to a psychiatric evaluation and must allow defendants to exercise that right.<sup>41</sup> The judgment also reiterated that the “State must also ensure the death penalty is not imposed through mandatory sentencing.”<sup>42</sup>
18. Barbados has voted against every UN General Assembly Moratorium Resolution on capital punishment, signifying Barbados’ commitment to the death penalty.<sup>43</sup> Barbados also signed the Note Verbale of Dissociation during the 2007, 2008, 2010 and 2012 votes.<sup>44</sup> Barbados has also refused to ratify the Convention Against Torture and the Second Optional Protocol of the ICCPR.<sup>45</sup>

### III. IMPLEMENTATION OF INTERNATIONAL HUMAN RIGHTS OBLIGATIONS

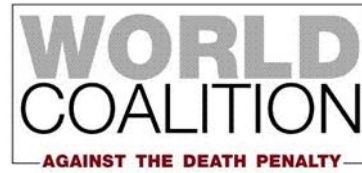
19. Barbados is commended for not carrying out an execution in over 33 years and for introducing a bill to reevaluate the mandatory death penalty. While Barbados proudly notes its *de facto* moratorium, it has failed to establish a formal moratorium.<sup>46</sup> Moreover, the country’s death row population has increased from four to thirteen since 2011.<sup>47</sup>

#### A. Barbados does not limit the death penalty to the most serious crimes

20. The laws of Barbados do not limit the death penalty to “the most serious crimes,” as required under Article 6(2) of the International Covenant on Civil and Political Rights. For example, many crimes are eligible for the death penalty simply if they *result* in death, regardless of whether the death was an intentional killing. Moreover, crimes that do not result in death are also eligible for the death penalty, including vaguely and broadly defined terrorism-related offenses.

#### B. Barbados Maintains a Mandatory Death Penalty





21. Laws that mandate the death penalty for certain crimes violate international standards by barring judges from exercising discretion in sentencing, precluding them from adjusting punishments based on the defendant’s personal circumstances or the circumstances under which the offense was committed.<sup>48</sup>

22. Barbados began to fulfill the 2013 UPR Recommendations with the drafting of a bill in 2014 which addressed the mandatory death penalty. In March 2014, Attorney General Adriel Braithwaite piloted the Offences Against Person (Amendment) Bill 2014 to change Section 2 of the Act to comply with the IACHR rulings in *Boyce* and *DaCosta Cadogan*.<sup>49</sup> The 2014 Bill would abolish the mandatory death penalty and, in its stead, create a discretionary death penalty, allowing judges the option to sentence convicted persons to death under certain circumstances or to life imprisonment with or without parole.<sup>50</sup> Additionally, persons sentenced to death under the 2014 Bill would be subject to the five-year statute of limitation after which the sentence would be commuted to life without the possibility of parole.<sup>51</sup> The 2014 Bill would not abolish the death penalty, however.<sup>52</sup> The 2014 Bill is paired with a Constitution (Amendment) Bill 2014 that would support the development of a discretionary system for convicted murderers and the Criminal Procedure (Amendment) Bill 2014 that would require psychiatric evaluations for persons convicted of murder.<sup>53</sup> Since 2015, there have been no public reports of updates as to the status of these bills.

23. Despite official pronouncements, the mandatory death penalty remains in place. In 2016, the *Barbados Advocate* reported Prime Minister Freundel Stuart announcing the elimination of the mandatory death penalty in compliance with the American Convention on Human Rights.<sup>54</sup> He said, “on such an important an issue as the removal of the mandatory death penalty, we cannot just turn a blind eye to that order and pretend that it is not there. We must demonstrate that we obey court orders as well.”<sup>55</sup> There is no public record of any legislative action to effectuate this statement.

### **C. Barbados Lacks Transparency Concerning Death Row Inmates and their Detention Conditions**

24. The detention conditions of death row prisoners have reportedly improved since 2007, when the previous facility where they had been housed burned down.<sup>56</sup> There is almost no information regarding the characteristics of the people on death row—their names, the crimes for which they were sentenced, and how long they have been on death row—or their detention conditions. This lack of information is worrisome given the potential for “death row phenomenon,” which is the deterioration of a prisoner’s mental condition as a consequence of psychological tensions suffered during prolonged detention on death row.<sup>57</sup> The Privy Council set a five-year maximum



for incarceration on death row, but the absence of information regarding death row inmates makes it difficult to ascertain whether Barbados is in compliance with this ruling.<sup>58</sup>

#### **D. Barbados Has Not Promoted Public Discourse on the Death Penalty and Alternative Punishments**

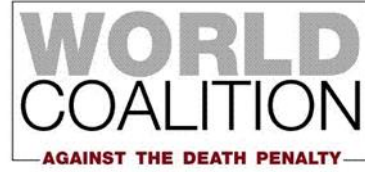
25. There is little evidence of government efforts to initiate public discourse, informed by international human rights standards, concerning the death penalty or to promulgate informational materials on the death penalty. The Greater Caribbean for Life confirms that it appears that little has been done in Barbados to implement Italy's recommendation made during the 2013 Universal Periodic Review, which recommendation was accepted by Barbados, that it would take action to promote and increase opportunities for public and open debates on the death penalty. The then Attorney-General, Adriel Brathwaite, gave an oral commitment to implement this recommendation. However, as stated above, it appears that little has been done to engage the public in such debates. Additionally, no recent surveys have been conducted to gauge the public's opinion on the continued use of the death penalty in comparison with alternative punishments. As reported by the BBC in 2014, Brathwaite speculated that there would be "strong opposition" to elimination of the country's mandatory death sentence scheme. "Barbadians generally feel that once you commit murder you should forfeit your lives, but that is until one of their family members is involved," he said. "I know it will be a battle but I believe that it is a better path for the country."<sup>59</sup>

26. Barbadian Director of Public Prosecutions (DPP) Charles Leacock cited the difficulty of reconciling local laws with binding international rulings as the driving factor in complications surrounding the death penalty.<sup>60</sup> The DPP also acknowledged the fallacy of deterrence: "Whether or not the death penalty is a deterrent to crime is beyond a legal question. When Trinidad executed people, the Dole Chadee gang for example, it had very little impact on the society. In fact, now in Trinidad you have far more murders than you had even then."<sup>61</sup>

### **IV. RECOMMENDATIONS**

27. The Advocates for Human Rights, Greater Caribbean for Life, and the World Coalition against the Death Penalty commend Barbados for its 33-year de facto moratorium on the death penalty. The co-authors of this joint stakeholder report respectfully suggest the following recommendations for Barbados during its third UPR:

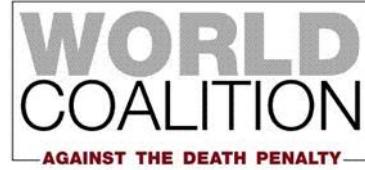
- a. **Regularly publish and update statistics on the number of executions, number of death sentences imposed, number of people on death row, number of sentences commuted or otherwise reduced, the identities and demographic information**



concerning all death row inmates, dates of conviction and sentencing, location of all persons sentenced to death, and any other pertinent information. Barbados should make publicly available reliable information regarding the death row population and any changes in its composition. Reliable, easily accessible information would help to ensure compliance with applicable human rights principles.

- b. **Impose a moratorium on the mandatory death penalty, effective immediately going forward and requiring resentencing hearings for all persons currently on death row by virtue of the country's mandatory death penalty scheme.** Barbados should impose a country-wide moratorium on the mandatory death penalty that immediately halts all sentences and executions, and provide judges with the liberty to assign punishment based on the specifics of the case and defendant.
- c. **Amend its penal laws to limit the death penalty to only the "most serious crimes" and eliminate the possibility of a death sentence for all crimes not involving intentional killing.**
- d. **Immediately conduct a review of the status of all prisoners on death row and automatically commute to life imprisonment the death sentence of any inmate sentenced more than five years ago.** Barbados should immediately ensure that it adheres to the requirements outlined by the Privy Council in *Pratt and Morgan v. Jamaica* as applied in *Bradshaw v. Attorney General of Barbados*, which presumptively forbid as inhuman and degrading the execution of inmates who have remained on death row for more than five years.
- e. **Collaborate with abolitionist civil society organizations in the region to conduct a comprehensive public awareness-raising campaign to educate the public about international human rights standards as they pertain to the death penalty and about alternatives to the death penalty.** Because the government cites public support for the death penalty as the primary obstacle to instituting a formal moratorium, Barbados should undertake a public education campaign about human rights and alternatives to the death penalty, in order to move Barbados closer to full abolition of the death penalty.
- f. **Abolish the death penalty and replace it with a sentence that is fair, proportionate, and respects international human rights standards.** Barbados should eliminate the death penalty from the Offences Against the Person Act and from the Constitution and replace it with a sentence that is fair, proportionate, and respects international human rights standards. Further, current death sentences should be commuted.





- g. **Ratify key international agreements regarding the death penalty.** Barbados should ratify without reservations the Second Optional Protocol to the International Covenant on Civil and Political Rights, aimed at abolishing the death penalty. Additionally, Barbados should ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

## V. QUESTIONS

28. The co-authors of this joint stakeholder report suggest the following questions for the Government of Barbados:

- a. **What steps has Barbados taken to promote and increase the opportunities for public and open debates on death penalty and to align public opinion about the death penalty with international human rights standards?**
- b. **Given Barbados' record of not having carried out an execution in 33 years and given the *de facto* moratorium on executions, why would Barbados not consider adopting a formal moratorium?**

<sup>1</sup> Amnesty International, *Death Sentences and Executions 2016*, ACT 50/5740/2017, Apr. 11, 2017.

<sup>2</sup> Cornell Center on the Death Penalty Worldwide, Death Penalty Database: Barbados, <http://www.deathpenaltyworldwide.org/country-search-post.cfm?country=Barbados&region=&method#f1-3> (last visited June 14, 2017).

<sup>3</sup> *Report of the Working Group on the Universal Periodic Review: Barbados*, (Mar. 12, 2013), U.N. Doc. A/HRC/23/11, ¶¶ 102.67 (Germany), 102.69 (Italy), 102.70 (Italy).

<sup>4</sup> *Report of the Working Group on the Universal Periodic Review: Barbados*, (Mar. 12, 2013), U.N. Doc. A/HRC/23/11, ¶ 20.

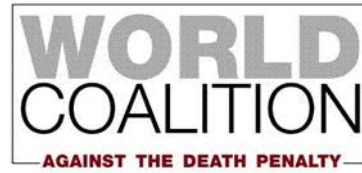
<sup>5</sup> *Report of the Working Group on the Universal Periodic Review: Barbados*, (Mar. 12, 2013), U.N. Doc. A/HRC/23/11, ¶ 102.58 (Brazil).

<sup>6</sup> *Report of the Working Group on the Universal Periodic Review: Barbados*, (Mar. 12, 2013), U.N. Doc. A/HRC/23/11, ¶¶ 102.6 (Hungary), 102.7 (Germany).

<sup>7</sup> *Report of the Working Group on the Universal Periodic Review: Barbados*, (Mar. 12, 2013), U.N. Doc. A/HRC/23/11, ¶ 20.

<sup>8</sup> *Report of the Working Group on the Universal Periodic Review: Barbados*, (Mar. 12, 2013), U.N. Doc. A/HRC/23/11, ¶ 20.

<sup>9</sup> *Report of the Working Group on the Universal Periodic Review: Barbados*, (Mar. 12, 2013), U.N. Doc. A/HRC/23/11, ¶¶ 102.69 (Italy), 102.70 (Italy); *Report of the Working Group on the Universal Periodic Review: Barbados*, Addendum, (June 3, 2013), U.N. Doc. A/HRC/23/11/Add. 1, ¶ 102.69.



<sup>10</sup> *Report of the Working Group on the Universal Periodic Review: Barbados*, (Mar. 12, 2013), U.N. Doc. A/HRC/23/11, ¶ 20.

<sup>11</sup> *Report of the Working Group on the Universal Periodic Review: Barbados*, (Mar. 12, 2013), U.N. Doc. A/HRC/23/11, ¶ 97.

<sup>12</sup> *Report of the Working Group on the Universal Periodic Review: Barbados*, (Mar. 12, 2013), U.N. Doc. A/HRC/23/11, ¶ 64.

<sup>13</sup> *Report of the Working Group on the Universal Periodic Review: Barbados*, (Mar. 12, 2013), U.N. Doc. A/HRC/23/11, ¶¶ 102.67 (Germany), 102.68 (Hungary), 102.69 (Italy) ; *Report of the Working Group on the Universal Periodic Review: Barbados*, Addendum, (Mar. 16, 2013), U.N. Doc. A/HRC/10/73/Add.1, ¶ 12 (“Subsequent to the review of Barbados under the UPR, the Cabinet of Ministers in Barbados has agreed to the abolition of the mandatory death penalty and is in the process of amending the relevant laws.”).

<sup>14</sup> Amnesty International, *Death Sentences and Executions 2016*, ACT 50/5740/2017, Apr. 11, 2017.

<sup>15</sup> *Report of the Working Group on the Universal Periodic Review: Barbados*, (Mar. 12, 2013), U.N. Doc. A/HRC/23/11, ¶ 102.70 (Italy); *Report of the Working Group on the Universal Periodic Review: Barbados*, Addendum, (3 June 2013), U.N. Doc. A/HRC/23/11/Add. 1, ¶ 18.

<sup>16</sup> *Barbados to Scrap Mandatory Death Sentence for Murder*, BBC News, Mar. 26, 2014, <http://www.bbc.com/news/world-latin-america-26743629>.

<sup>17</sup> *Report of the Working Group on the Universal Periodic Review: Barbados*, (Mar. 12, 2013), U.N. Doc. A/HRC/23/11, ¶ 102.67 (Germany).

<sup>18</sup> The acceptance of this recommendation is unusual given the rejection of similar recommendations in the same report. The full acceptance of this recommendation requires the abolishment of the death penalty, which contradicts Barbados' stated position.

<sup>19</sup> Cornell Center on the Death Penalty Worldwide, Death Penalty Database: Barbados, <http://www.deathpenaltyworldwide.org/country-search-post.cfm?country=Barbados&region=&method#f3-6> (last visited June 14, 2017).

<sup>20</sup> Amnesty International, *Death Penalty in the English-Speaking Caribbean: A Human Rights Issue*, AMR 05/001/2012, Nov. 30, 2012.

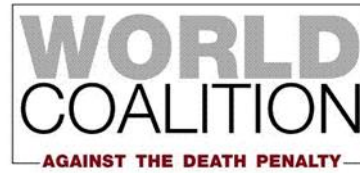
<sup>21</sup> Amnesty International, *Death Penalty in the English-Speaking Caribbean: A Human Rights Issue*, AMR 05/001/2012, Nov. 30, 2012.

<sup>22</sup> Cornell Center on the Death Penalty Worldwide, Death Penalty Database: Barbados, <http://www.deathpenaltyworldwide.org/country-search-post.cfm?country=Barbados&region=&method#f1-3> (last visited June 14, 2017).

<sup>23</sup> Cornell Center on the Death Penalty Worldwide, Death Penalty Database: Barbados, <http://www.deathpenaltyworldwide.org/country-search-post.cfm?country=Barbados&region=&method#f1-3> (last visited June 14, 2017).

<sup>24</sup> Offences Against the Person Act, c. 141 § 2 (Barbados).

<sup>25</sup> Sarah Frost, *DaCosta Cadogan v. Barbados*, 36 Loyola of Los Angeles International & Comparative Law Review 155, 157 (2014).



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<sup>26</sup> Cornell Center on the Death Penalty Worldwide, Death Penalty Database: Barbados, <http://www.deathpenaltyworldwide.org/country-search-post.cfm?country=Barbados&region=&method#f3-6> (last visited June 14, 2017).

<sup>27</sup> Cornell Center on the Death Penalty Worldwide, Death Penalty Database: Barbados, <http://www.deathpenaltyworldwide.org/country-search-post.cfm?country=Barbados&region=&method#f3-6> (last visited June 14, 2017).

<sup>28</sup> Cornell Center on the Death Penalty Worldwide, Death Penalty Database: Barbados, <http://www.deathpenaltyworldwide.org/country-search-post.cfm?country=Barbados&region=&method#f3-6> (last visited June 14, 2017).

<sup>29</sup> CONSTITUTION OF BARBADOS, art. 15.

<sup>30</sup> Caribbean Death Penalty Research, "The Death Penalty in Barbados," accessed June 13, 2017, <https://caribbeanddeathpenaltyresearch.wordpress.com/the-death-penalty-in-barbados>.

<sup>31</sup> *Report of the Working Group on the Universal Periodic Review: Barbados*, (Mar. 12, 2013), U.N. Doc. A/HRC/23/11, ¶ 20.

<sup>32</sup> Amnesty International, *Death Sentences and Executions 2016*, ACT 50/5740/2017, Apr. 11, 2017.

<sup>33</sup> Amnesty International, *Death Penalty in the English-Speaking Caribbean: A Human Rights Issue*, AMR 05/001/2012, Nov. 30, 2012.

<sup>34</sup> Cornell Center on the Death Penalty Worldwide, Death Penalty Database: Barbados, <http://www.deathpenaltyworldwide.org/country-search-post.cfm?country=Barbados&region=&method#f1-3> (last visited June 14, 2017).

<sup>35</sup> Cornell Center on the Death Penalty Worldwide, Death Penalty Database: Barbados, <http://www.deathpenaltyworldwide.org/country-search-post.cfm?country=Barbados&region=&method#f1-3> (last visited June 14, 2017).

<sup>36</sup> Cornell Center on the Death Penalty Worldwide, Death Penalty Database: Barbados, <http://www.deathpenaltyworldwide.org/country-search-post.cfm?country=Barbados&region=&method#f1-3> (last visited June 14, 2017).

<sup>37</sup> *Boyce et al v. Barbados*, Preliminary Objection, Merits, Reparations, and Costs, Inter-Am. Ct. H.R. (ser. C) No. 169, ¶ 18 (Nov. 20, 2007).

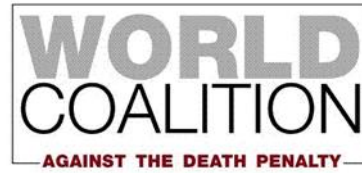
<sup>38</sup> *Boyce & Anor v R (Barbados)*, [2004] UKPC 32 (July 07, 2004), <http://www.bailii.org/uk/cases/UKPC/2004/32.html>

<sup>39</sup> *Boyce et al v. Barbados*, Preliminary Objection, Merits, Reparations, and Costs, Inter-Am. Ct. H.R. (ser. C) No. 169, ¶¶ 61, 62 (Nov. 20, 2007).

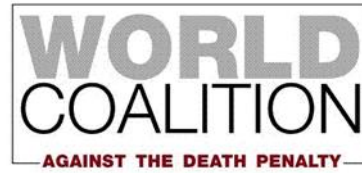
<sup>40</sup> Cornell Center on the Death Penalty Worldwide, Death Penalty Database: Barbados, <http://www.deathpenaltyworldwide.org/country-search-post.cfm?country=Barbados&region=&method#f1-3> (last visited June 14, 2017).

<sup>41</sup> Sarah Frost, *DaCosta Cadogan v. Barbados*, 36 *Loyola of Los Angeles International & Comparative Law Review* 155, 157 (2014).

<sup>42</sup> Sarah Frost, *DaCosta Cadogan v. Barbados*, 36 *Loyola of Los Angeles International & Comparative Law Review* 155, 166 (2014).



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- <sup>43</sup> Cornell Center on the Death Penalty Worldwide, Death Penalty Database: Barbados, <http://www.deathpenaltyworldwide.org/country-search-post.cfm?country=Barbados&region=&method#f1-3> (last visited June 14, 2017).
- <sup>44</sup> Cornell Center on the Death Penalty Worldwide, Death Penalty Database: Barbados, <http://www.deathpenaltyworldwide.org/country-search-post.cfm?country=Barbados&region=&method#f1-3> (last visited June 14, 2017).
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