



**International covenant
on civil and
political rights**

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HUMAN RIGHTS COMMITTEE
Eighty-second session

**LIST OF ISSUES PREPARED IN THE ABSENCE OF THE THIRD
PERIODIC REPORT OF BARBADOS, DUE ON 11 APRIL 1991**

**Constitutional and legal framework within which the Covenant
and the Optional Protocol are implemented (art. 2)**

1. Please elaborate on the status of the Covenant in domestic law. Has it been incorporated into domestic legislation? Please provide examples of cases, if any, in which the Covenant was directly invoked before or by domestic tribunals, and if so with what results.
2. Please provide information on the mandate of the Office of the Ombudsman established under the Ombudsman Act. Please explain the extent to which this Office is vested with the competence to protect and promote human rights, and in particular to receive complaints relating to human rights violations. Does the State party envisage the establishment of a national human rights commission?
3. What are the latest developments with regard to the establishment of a Caribbean Court of Justice meant to eventually replace the Judicial Committee of the Privy Council (JCPC), currently the final court of appeal in the State party? Please provide details on the future mandate of the Caribbean Court of Justice, its composition and its organizational structure.

Right to an effective remedy (art. 2) and right to life (art. 6)

4. What is the status of the Constitutional (Amendment) Act 2002, which seeks to limit the length of time granted to condemned prisoners (including prisoners under sentence of death) to appeal to intergovernmental human rights bodies, such as the Human Rights Committee? How is this provision compatible with the obligations of Barbados as State party to the ICCPR and its first Optional Protocol?

5. Given that the death penalty may only be imposed for “the most serious crimes” (article 6, paragraph 2, of the Covenant), please provide detailed information on the crimes that carry the death penalty, and for which of them the death sentence is mandatory. Please provide statistics for the past five years on the number of death sentences and the number of executions carried out, as well as the number of condemned prisoners currently awaiting execution.

6. Does the State party envisage the ratification of the second Optional Protocol to the Covenant?

Protection against torture or cruel and degrading treatment (art. 7)

7. Please comment on alleged instances of ill-treatment of persons by the police, the number of investigations conducted by the Office of Professional Responsibility and the outcome of such investigations in recent years. According to information before the Committee, a law was adopted in 2001 creating an independent board to review complaints against the police. What is the status of this entity?

8. What type of human rights training, if any, is provided for members of the armed forces and the police, in particular concerning respect for the right to life and physical integrity?

9. Have steps been taken to define torture in domestic legislation? Does the State party envisage accession to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment?

Humane prison conditions (art. 10)

10. Please clarify to what extent the State party meets the standards of the Standard Minimum Rules for the Treatment of Prisoners. How have these Rules, as well as domestic legislation, been disseminated and made accessible to the police and prison administrators?

11. Please provide information on measures taken to address the problem of prison overcrowding as well as recent statistics on the prison population and the proportion of those detained awaiting trial compared to convicted prisoners.

12. Does Barbados envisage the establishment of an independent body for the inspection of detention centres and the investigation of complaints from prisoners? Does the Office of the Ombudsman have jurisdiction over prisoners?

Right to a fair trial (art. 14)

13. Please explain in detail the operation of the legal aid system in Barbados and provide statistics about the number of cases in which legal aid has been granted in the past five years. Please clarify how legal aid is made available to death row prisoners when appealing to the Judicial Committee of the Privy Council in London, and in particular what financial limits apply.
14. Does the State party envisage the withdrawal of its reservation to article 14, paragraph 3 (d), of the Covenant, under which it reserves the right not to apply fully the guarantee of free legal assistance?

**Non-discrimination and equality between the sexes
(arts. 2, para. 1, 3, 26)**

15. Does Barbados envisage the adoption of legislation which would prohibit discrimination on any ground such as race, colour, sex, including sexual orientation, language, religion, political or other opinion, national or social origin, property, birth or other status as well as against persons with disabilities in employment, education and other services?
16. What specific data are available in respect of and what measures have been taken, or are foreseen, to enhance the participation of women in public life, particularly in the political area and public service (Parliament and Government), as well as in the private sector, especially at senior levels?
17. Please provide current disaggregated data on the representation of minorities in Parliament and their participation in public affairs and in economic life.

**Violence against women and children and right of children
to be protected (arts. 3, 7, 8 and 24)**

18. Please provide information and any available statistics about the trafficking of women and children for the purpose of prostitution. What measures has the State party taken to combat these practices?
19. Is domestic violence prosecuted under domestic law? Please provide detailed information as to the number of complaints received, investigations carried out, persons prosecuted and victims compensated. In the negative, do other laws and programmes exist, or are envisaged, to address the problem of violence against women, including domestic violence and rape? What type of protection is offered to women victims of violence both in terms of restraining orders as well as shelters and support programmes? Please report on any measures taken to increase public awareness of these issues.
20. According to information before the Committee, the number of rapes of boys and girls under 16 years old is on the increase. Please provide information on the incidence of violence against children, as well as on legislation protecting children against sexual exploitation.

21. Please comment on allegations that juveniles are often held in adult detention facilities and subjected to lengthy pre-trial detention. Please also indicate measures envisaged or taken to improve their conditions of detention in the light of the provisions of article 10, paragraph 2 (b), of the Covenant and the progress achieved in the system of administration of juvenile justice, in particular with regard to the establishment of juvenile courts.

**Dissemination of information relating to the Covenant
and the Optional Protocol (art. 2)**

22. Please provide information on training and education on the Covenant and the Optional Protocol procedure provided to all categories of public officials, in particular schoolteachers, the judiciary, and law enforcement and prison officials. Please also indicate the steps taken to increase the awareness and understanding of the Covenant and the Optional Protocol procedure amongst the general public.
