



International Covenant on Civil and Political Rights

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Human Rights Committee

List of issues prior to submission of the initial report of Antigua and Barbuda*

A. General information on the national human rights situation, including new measures and developments relating to the implementation of the Covenant

1. Please report on the main developments in the legal and institutional framework within which the human rights enshrined in the Covenant are promoted and protected that have taken place since the accession to the Covenant. In the light of the pledge made by the State Party under the Human Rights 75 initiative in 2023 to establish a national mechanism for implementation, reporting and follow-up for United Nations treaty bodies, the universal periodic review and special procedures, please describe the steps taken to implement this mechanism.

B. Specific information on the implementation of articles 1 to 27 of the Covenant

Constitutional and legal framework within which the Covenant is implemented (art. 2)

2. Please provide information on the measures taken to incorporate the provisions of the Covenant into the domestic legal order. Please indicate whether the Covenant has been invoked or implemented by domestic courts or other relevant adjudicatory bodies, providing illustrative examples. Please indicate whether the State Party has taken any steps towards the ratification of the first Optional Protocol to the Covenant.

National human rights institution (art. 2)

3. Please provide information on the steps taken to ensure that the State Party has established an independent national human rights mechanism that operates in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles) and that it receives the financial and human resources necessary to fulfil its mandate effectively. Please also indicate the measures implemented to ensure its financial autonomy and to provide it with adequate human and material resources, in line with the Paris Principles.

Anti-corruption measures (arts. 2 and 25)

4. Please describe the legal, institutional and policy framework in place to address corruption and illicit financial flows, including measures to implement existing anti-corruption legislation effectively. Please provide statistical information on the number

* Adopted by the Committee at its 143rd session (3–28 March 2025).



of corruption allegations received, investigations conducted, prosecutions initiated and convictions secured, including the nature of the penalties imposed, as well as the redress provided to victims of corruption.

Non-discrimination (arts. 2, 3 and 26)

5. Please indicate the steps taken to adopt comprehensive anti-discrimination legislation that clearly prohibits discrimination, including direct, indirect and intersectional discrimination in both public and private settings, encompassing – among other types of discrimination – discrimination on the grounds of disability, migration status, sexual orientation, gender identity and medical status (such as HIV-positive) and provides effective remedies for victims. Please describe the measures taken to decriminalize sexual relations between consenting adults of the same sex and to establish a legal framework for the recognition and protection of same-sex couples. Please report on measures taken to combat discrimination, biases and stigmatization, including through awareness-raising and education campaigns for the public at large.

Gender equality (arts. 2, 3, 25 and 26)

6. Please indicate the measures taken to ensure in law and in practice equality between men and women and to eradicate discriminatory practices and gender stereotypes regarding the roles of women and men in the family and society. Please provide statistical data on the participation and representation of women in the public and private sectors, particularly in decision-making positions, and describe the efforts made to promote equal representation.

Violence against women, including domestic violence (arts. 2, 3, 6, 7 and 26)

7. Please provide information on the efforts made to prevent and eradicate violence against women, including domestic violence, and on the impact of the Domestic Violence Act 2015. Please indicate the measures taken to adopt legislation prohibiting sexual harassment and marital rape. Please provide information on the number of complaints registered, investigations and prosecutions initiated, convictions handed down and penalties imposed on perpetrators of such offences, as well as the measures of redress for victims. Please describe the measures taken to facilitate reporting of such crimes and access to justice for victims and to ensure access to protection and assistance services, including in rural areas.

Voluntary termination of pregnancy and sexual and reproductive rights (arts. 6 and 7)

8. In the light of the Committee's general comment No. 36 (2018) on the right to life, please provide information on the measures taken to ensure effective access to safe and legal abortion, including cases where the health of the pregnant woman or girl is at risk, where the pregnancy is the result of rape or incest or where it is not viable. In this regard, please provide information on: (a) the impact of restrictions on the voluntary termination of pregnancy, including on the health of women and girls; (b) the number of births that are the result of rape or incest; (c) the number of terminations of non-viable pregnancies; and (d) judicial proceedings initiated for the crime of abortion and the penalties imposed on women who show signs of having performed or who have performed such voluntary terminations, or on the medical service providers who have assisted them. Please provide statistical information on maternal mortality rates and describe the measures adopted to ensure full access to sexual and reproductive health services and education, including in rural areas, for women, men and adolescents.

Right to life (arts. 6 and 7)

9. Please describe the legislation of the State Party regarding the death penalty, indicating how it complies with the requirements of the Committee's general comment No. 36 (2018). Please report on which crimes are punishable by death and whether the death sentence is mandatory for any of them. Please indicate whether any individuals are currently on death row and provide details on any procedures for commuting death sentences to life imprisonment. Please indicate whether the State Party intends to establish an official moratorium on the death penalty, the measures taken towards abolishing it and whether the

State Party is considering ratifying the Second Optional Protocol to the Covenant, aiming at the abolition of the death penalty.

10. Please provide information on the measures taken to ensure that the legislation on the use of force, including article 4 of the State Party's Constitution, and the actual use of force, including lethal force, by law enforcement officials fully comply with the Covenant and the Committee's general comment No. 36 (2018), as well as with international standards such as the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials and the United Nations Human Rights Guidance on Less-Lethal Weapons in Law Enforcement.

11. With reference to paragraph 62 of the Committee's general comment No. 36 (2018) and in the light of the pledge made by the State Party as part of Human Rights 75 in 2023 to implement transformative policies to mitigate the effects of climate change and strengthen the resilience of communities, please provide information on measures taken: (a) to prevent and mitigate the effects of climate change and environmental degradation, and to prevent its negative impact on human rights, in particular the right to life; and (b) to ensure the meaningful and informed participation of all peoples and communities in projects that may affect their sustainable development and resilience to climate change.

Prohibition of torture and cruel, inhuman or degrading treatment or punishment (arts. 7 and 24)

12. Please describe the legislative framework, policies and programmes in place to prevent and combat torture, including the establishment of an independent complaint mechanism to receive complaints and conduct prompt and impartial investigations into allegations of torture or ill-treatment. Please provide statistical information on the number of complaints of alleged torture or ill-treatment received, investigations opened, perpetrators prosecuted, convictions handed down, the nature of the sentences imposed on those found guilty and the reparations provided to victims. Please describe the measures taken to prohibit, prevent and combat corporal punishment in all settings, as well as to protect children from corporal punishment and promote non-violent methods of education and discipline.

Treatment of persons deprived of their liberty (arts. 7 and 10)

13. Please provide detailed information on the number of prisons and places of detention, their capacity and the number of inmates and detainees, disaggregated by facility. Please indicate which measures have been adopted to separate adult men, minors and women, and to separate those in pretrial detention from convicted prisoners. Please indicate the measures taken to ensure that the living conditions and treatment of persons deprived of liberty, including in terms of overcrowding, fully adhere to the provisions of the Covenant and the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules) and the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules). Please provide information on the availability of, and recourse to, alternatives to pretrial detention in the light of the United Nations Standard Minimum Rules for Non-custodial Measures (the Tokyo Rules) and the measures taken to reduce the maximum duration of pretrial detention to align it with the Covenant.

Liberty and security of person, access to justice and right to a fair trial (arts. 9 and 14)

14. In the light of the Committee's general comment No. 35 (2014) on liberty and security of person and general comment No. 32 (2007) on the right to equality before courts and tribunals and to a fair trial, please describe the measures taken to ensure that persons deprived of their liberty enjoy all legal safeguards from the outset of their deprivation of liberty, including access to a lawyer and interpreters, adequate time for the preparation of their defence and the right to be brought promptly before a judge. Please indicate the measures taken to improve judicial efficiency, including reducing the backlog in criminal and civil cases and ensuring that judgments are delivered within a reasonable period of time. Please describe the appeal mechanisms in the judicial system and provide information on any appeals that may have been lodged due to the discovery of new evidence and the outcomes of those appeals.

Forced labour and trafficking in persons (arts. 7, 8 and 24)

15. Please provide information on the measures taken to prevent and combat forced labour and trafficking in persons, including the implementation of the Trafficking in Persons (Prevention) Act, 2010, and the Trafficking in Persons (Prevention) (Amendment) Act, 2019, capacity-building activities and awareness-raising campaigns on the risks of trafficking and available support services. Please provide statistical information on the number of complaints filed, investigations conducted, prosecutions initiated, convictions handed down and the nature of penalties imposed in cases of forced labour and human trafficking. Please describe: (a) the efforts made to establish effective reporting mechanisms and to ensure the early identification of victims, particularly women and children in domestic servitude and in the hospitality industry; (b) the referral of actual and potential victims of forced labour and trafficking to the competent authorities and services; and (c) the measures taken to provide victims with effective remedies, including appropriate rehabilitation and assistance.

Conditions of detention and access to legal aid (art. 10)

16. Please provide updated information on the conditions of detention, including with respect to overcrowding, access to basic services and the overall treatment of detainees, as well as on the mechanisms in place to monitor these conditions. Please describe the measures taken to ensure the implementation and to raise the awareness of the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules).

Access to legal aid (art. 14)

17. Please provide information on the legal aid system, including how it is administered and whether it ensures effective access to legal assistance for individuals with limited means in both criminal and civil proceedings. In this regard, please indicate how the State Party ensures access to legal aid in cases where the rights of children are at stake. Please provide details on the number and types of cases in which legal aid has been sought, granted and denied in recent years.

Migrants, asylum-seekers and refugees (arts. 2, 7, 9, 12, 13, 24 and 26)

18. Please provide information on the measures taken to develop a national legislative asylum framework and procedures that safeguard and promote the rights of asylum-seekers and refugees, including a framework for determining refugee status and ensuring respect for the principle of non-refoulement. Please describe the measures taken to increase the capacity to process asylum claims and provide statistical information on the number of asylum applications accepted and rejected since the State Party's accession to the Covenant, the annual number of asylum-seekers and irregular migrants detained, including families with children and unaccompanied children, the average length of detention and the use of alternatives to detention. Please indicate the measures taken to ensure access for asylum-seekers, without discrimination, to basic rights, such as healthcare and education.

Rights of the child (arts. 2, 7, 8, 24 and 26)

19. Please indicate the steps taken to ensure that all children born in the territory of the State Party, including those born to non-citizens or undocumented migrants, are registered and receive an official birth certificate. Please describe the efforts made to raise the minimum age of criminal responsibility and to ensure access to rehabilitation programmes designed to facilitate the reintegration of children in conflict with the law into society. Please provide information on the measures taken to combat child sexual abuse and the sexual exploitation of children.

Freedom of expression (art. 19)

20. Taking into account the Committee's general comment No. 34 (2011) on the freedoms of opinion and expression, please describe the measures taken to promote the plurality of the media, increase media pluralism and prevent an undue concentration of media ownership that may adversely impact media freedom and the diversity of sources and views. Please provide

information on the steps taken to decriminalize libel, ensuring that individuals' right to honour is sufficiently protected under civil law.

Right of peaceful assembly (art. 21)

21. Please provide information on the legal and regulatory framework governing the right of peaceful assembly in the State Party, including in light of the Committee's general comment No. 37 (2020). In particular, please clarify how this framework was applied in the context of protests related to the coronavirus disease (COVID-19) pandemic, including with respect to the use of permit systems and the imposition of any restrictions or limitations on assemblies.

Participation in public affairs (arts. 3 and 25)

22. Please provide information on the measures taken to ensure equitable representation between Antigua and Barbuda, taking into account their distinct historical, legal and cultural contexts. In particular, please indicate how issues relating to underrepresentation and the autonomy of Barbuda are addressed within national decision-making structures, including in the context of recent developments concerning land governance.
