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Bahamas

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Introduction

1. The Bahamas is honoured to present its Report to the Fourth Cycle of the Universal Periodic Report (UPR) of the United Nations Human Rights Council (HRC) and welcomes the opportunity to share its achievements and challenges in protecting its human rights and fundamental freedoms. The Bahamas reinforces its belief that the protection, promotion and preservation of human rights are essential elements of social and economic development.

2. States have a human rights obligation to explore available measures to address the foreseeable effects of climate change and ensure that those affected by it, particularly those in vulnerable situations, have access to effective remedies and means of adaptation to enjoy lives of human dignity. The Government of The Bahamas has been a staunch advocate in the fight against the negative consequences of climate change, which directly impacts human rights, and has consistently called for the intensification of efforts aimed at the mitigation of and adaption to climate change, especially for Small Island Developing States (SIDS).

I. Methodology and consultation

3. The Report was prepared in accordance with the General Guidelines for the Preparation of Information for the UPR, HRC Resolutions 5/1 and 16/21, and HRC Decision 17/119. This Report will highlight the major developments that have occurred since the last review and in the period of follow-up and implementation of the recommendations that were accepted and considered (2018-2022).

4. The National Reporting Cooperation Mechanism (NRCM), chaired by the Office of the Attorney-General (OAG) and the Ministry of Legal Affairs and whose deputy chair is the Ministry of Foreign Affairs, prepared this Report, following extensive consultation with relevant ministries and agencies, along with Civil Society. The NRCM conducted weekly meetings to assist in the compilation of data to draft the 2023 National Report, which outlines the measures undertaken by The Bahamas to implement the recommendations received from the Third UPR Cycle. **Annex I** outlines the recommendations received by The Bahamas in 2018.

5. After participating in a case study on effective state engagement with international human rights mechanisms with the United Nations Office of the High Commissioner for Human Rights (OHCHR), The Bahamas has continued to implement elements of the study's outcome document '*National Mechanisms for Reporting and Follow-up*'¹ in the work of its NRCM.

6. The NRCM continues its efforts to sensitize key stakeholders on human rights obligations. During the Reporting Period, members of the Mechanism have participated in and facilitated a number of workshops, trainings and symposiums on human rights matters in country and throughout the region. The NRCM maintains its partnerships with Civil Society and international entities such as OHCHR, UNHCR, and IOM.

7. In March 2022, personnel from ministries with carriage of various human rights instruments and members of Civil Society participated in a virtual three-day training on UN Human Rights Conventions and their provisions, which included a focus on the Convention on the Rights of the Child (CRC), the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and the Convention on the Rights of Persons with Disabilities (CRPD). The role and expectations of the NRCM were also discussed.

8. In September 2022, OHCHR, UN Women and the UN Resident Coordinator sponsored a workshop on Treaty Body Reporting, which highlighted the CRC, the CEDAW and the CRPD. The session was attended by members of the NRCM, Parliamentarians and Civil Society.

9. The Bahamas benefited from the Voluntary Technical Assistance Trust Fund to support the participation of Least Developed Countries (LDCs) and SIDS in the work of the HRC during 2018, 2019 and 2021.²

II. Developments since the previous review

10. Since the completion of The Bahamas' Third Cycle in 2018, there was a change in administration on the 16 September 2021³ by a national general election in accordance with the Constitution of the Commonwealth of The Bahamas (the "*Constitution*"). The electoral process was '*credible, transparent and inclusive*', as reported by the Observers Group received from the Commonwealth and the Caribbean Community (CARICOM), who assessed the credibility of the elections.

11. The Bahamas continues to make progress in the National Development Plan (NDP) process with outcomes being achieved in the areas of a modern, open and accountable government, public institutions and the respect for the rule of law. The country has also consistently participated in Voluntary National Reviews (VNRs), reporting on the implementation of the Sustainable Development Goals (SDGs). The importance of fulfilling the rights of all in The Bahamas has been foregrounded by the twin shocks, Hurricane Dorian and the COVID-19 pandemic.

Hurricane Dorian

12. Hurricane Dorian, the strongest Atlantic storm documented to directly impact landmass, devastated the islands of Abaco and Grand Bahama in September 2019, resulting in loss of life, livelihoods and internal displacement. The damages totaled an estimated \$3.4 billion (USD)⁴, which is equal to one-quarter of The Bahamas' GDP. During the aftermath of Hurricane Dorian, many national and international organizations worked to reach those most at risk of being left behind. The Government, local Non-Governmental Organizations (NGOs) and Civil Society along with multilateral organizations ensured that those affected by the hurricane were provided with the necessities of medical assistance, food, shelter, water, sanitation and hygiene (WASH) services.

COVID-19 pandemic

13. Just six months after the passage of Hurricane Dorian, the COVID-19 pandemic arrived in March 2020, resulting in loss of life and livelihood, for which the total estimate cost of impacts and effects on The Bahamas stand at \$9.5 billion.⁵ Nationwide health and safety protocols were adopted aiming to mitigate the detrimental effects posed by the pandemic to the inclusion of sanitation and mask protocols, lockdowns, curfews and social distancing strategies. During the most restrictive periods of the COVID-19 pandemic, the response of the Government, local NGOs and Civil Society resulted in the provision of unemployment assistance, emergency food assistance, rebuilding funds and assistance, including the implementation of tax-free zones.

14. The twin disasters of Hurricane Dorian and the COVID-19 pandemic have been estimated to cost The Bahamas a combined \$13.1 billion.

Crime reduction

15. Reduction of crime and violence remains a priority of the Government. Established in 2016 and facilitated by the Ministry of National Security in partnership with the Royal Bahamas Police Force (RBPF), the Department of Rehabilitative Welfare Services and various training and educational institutions and civic groups, the Citizen Security and Justice Programme is a social initiative aimed to reduce crime and violence with a multifaceted approach targeting youth and community development, employment, strengthening the justice system and implementing prison reform to reduce rates of recidivism. Hundreds of community residents were trained in 2019 in how to identify, address and find resolution to challenges relating to Gender-Based Violence (GBV), conflict, parenting and sexual assault. The sessions were free for the public.

16. Further, the Second Priority of the RBPF Commissioner's 2022 Policing Plan focuses on 'Transformative Human Rights Standards Recognition and Implementation', which is the 'ability of the Force to effectively recognize the basic human rights of all individuals while policing throughout the Commonwealth of The Bahamas'.⁶

Climate change and disaster resilience

17. As a SIDS, The Bahamas lives the reality of climate change and its negative impact on the promotion and protection of human rights, the effects of which are experienced by the most vulnerable in society. Despite the challenges associated with climate change and natural disasters, the Government remains steadfast in its efforts to ensure that the Bahamian people enjoy their human rights and fundamental freedoms.

18. According to the United Nations Development Programme (UNDP), The Bahamas has a '*very high human development classification*'. The Bahamas ranked 58 out of 191 countries for human development with a score of 0.812 in 2021.⁷ The Bahamas remains optimistic that development progress, which stagnated in the wake of recent events, will regain momentum and further progress, achieved.

19. The Bahamas signed the UN Multi-Country Sustainable Development Cooperation Framework on 11th February 2022. The framework, which supports the UN's Sustainable Development Goals (SDGs) and the international development plans of the individual countries in the English and the Dutch-speaking Caribbean, acts as the instrument for the planning and implementation of the UN development activities towards the fulfilment of the 2030 Agenda.⁸

Promotion of sustainable development

20. The Bahamas is fully committed to the realization to the 2030 Agenda for Sustainable Development and recognizes the importance of advancing human rights as pillar of such efforts. The localization of the 2030 Agenda for Sustainable Development has been prioritized by way of its strategic integration in The Bahamas' Draft National Development Framework – the '*Vision 2040*', established in 2014, which has been subject to review and updating in December 2019. Various Governmental Ministries and Agencies have systematically incorporated the SDGs in their organizational strategies and used it to guide institutional plans and programmes. The SDG Unit in the Office of the Prime Minister (OPM) was established in 2019 as the lead agency for promoting, coordinating, monitoring and reporting on the country's progress towards achieving the SDGs.

The role of human rights in legislation

21. Robust national dialogue on the importance human rights and the corresponding international instruments is ongoing. While challenges remain in the process to harmonize the national legislation and international obligations, efforts to facilitate the implementation continue.

III. Promotion and protection of human rights in The Bahamas

International human rights instruments

(Recommendations 105.3, 105.4, 105.9, 105.11—17, 105.22)

22. The Bahamas ratified the Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment CAT in May 2018, becoming the seventh Caribbean State to do so.

Cooperation with international human rights mechanisms and bodies (Recommendations 105.33—37)

23. The Bahamas continues to engage with the regional and international community, contributing to the development of human rights and their standards through its participation in the United Nations (UN), the Organization of American States (OAS) and the Caribbean Community (CARICOM). Most recently, the country concluded its membership on the HRC, in which it served as an active Member for the term 2019 – 2021, participating in sessions of the Council and the UPR Working Groups.

24. In 2013, the Government issued a standing invitation to all UN Special Procedures Mandate Holders. Having hosted the Special Rapporteur on trafficking in persons, especially women and children in 2013 and the Special Rapporteur on violence against women, its causes and consequences in 2017, The Bahamas looks forward to hosting the Special Rapporteur on the Environment, the Independent Expert on Foreign Debt and the Working Group on Arbitrary Detention in 2023.

25. The Government continues its efforts to submit all outstanding reports to the UN Human Rights Treaty Bodies, to those it is State Party.

Domestic legislation

26. The Government continues the process of drafting new and amending standing legislation to improve the lives of its people. While an exhaustive list of legislative changes can be accessed on the Government's website, the following should be highlighted:

- National Statistics Act (2021) – An Act to establish The Bahamas National Statistics Institute, replacing the Department of Statistics and establishing the new National Statistical System, which would create greater ease of collecting, compiling, retrieving and analysing data.
- Value Added Tax Act (2021) – An Act to amend the Value Added Tax Act, 2014 to reduce the standard rate of tax and to minimize the number of exemptions and zero rated items.
- Non-Profit Organization Act (2019) – An Act to facilitate the registration of all non-profit organizations (NPOs).
- The National Crime Intelligence Agency (NCIA) Act (2019) – An Act to enhance the security of The Bahamas. NCIA is the premonitory agency responsible for gathering, analyzing, coordinating, disseminating and reflecting the complex overlapping of both domestic and international security issues.
- The Sexual Offenders Regulations (SOR) (2019) – An Act to establish the Sexual Offenders' Registry. The objective behind the Registry is to ensure the reporting requirements and tracking of sexual offenders following their release from prison.
- The Bail (Amendment) Act (2020) – An Act to increase the jurisdiction of magisterial courts to grant bail in certain cases and to provide for rules for regulating the procedure for applying for bail and connected purposes.
- Parliamentary Elections Act (2020) – An Act to create a continuous or permanent voting register and includes a duty to provide statistics to the Parliamentary Commissioner. It also allows for the modernization of the voters' registration process by making provisions for electronic biometric data cards to replace the paper voters' cards.
- Climate Change and Carbon Market Initiatives Act (2022) – An Act to provide a framework for the research, verification and monetization of carbon credits.
- Value Added Tax Amendment Act (2021) – An Act to reduce in the standard VAT rate from 12% to 10% with effect from 1 January 2022.⁹

Proposed domestic legislation (Recommendations 105.39—42, 105.94, 105.97)

27. The Government is currently reviewing draft legislation to improve the provisions of law in several areas including the following:

- The 2017 draft legislation to establish an Office of the Ombudsman is currently being redrafted to include the Paris Principles.
- Draft legislation to amend the Sexual Offences Act to criminalize marital rape is under consideration and subject to consultations with the public.
- The Strategic Plan to address GBV and the Anti-Gender Based Violence Bill are in the process of being drafted.
- With aim to resolve the issue of inequality, The Bahamas, via the ‘*Nationality Bill 2022*’, is attempting to advance appropriate legislation to bring equality to Bahamian men and women in the transmission of citizenship to their children. The advancement of this legislation has been delayed until the ruling of the Privy Council¹⁰ on nationality issues in The Bahamas. The proposed Bill seeks to fix all inequalities, particularly by promoting gender equality through the provision of a mechanism whereby the minor child of a Bahamian male or female, wherever born, in or out of wedlock, will be entitled to be registered as a Bahamian upon application by the parent(s).

Climate change mitigation and adaptation (Recommendations 105.49—51)

28. Established in January 2022, the Climate Change & Environmental Advisory Unit (CCEAU) is the technical advisory arm of the Office of the Prime Minister, tasked with addressing matters related to Climate Change and the Environment. The Government recently passed the Disaster Risk Management Act (2022), which amalgamates all relevant departments in disaster preparedness for more effective operation.

The Bahamas Department of Correctional Services (BDOCS) (Recommendation 105.62)

29. Infrastructural improvements, staff growth and development, reform and rehabilitation continue at The Bahamas Department of Correctional Services (BDOCS), as it continues its transition from a punitive institution to a correctional service facility.

30. As of 2021, the total number of inmates was 1,912 with 1,771 (93%) being male and 141 (7%) being female. The majority of the admissions ages range between 18-40. Most of the admissions were first time offenders with a total of 1,692 or (88%) who had either served a sentence for the first time or had never serve time.

31. The Bahamas continues its efforts to improve prisoners’ detention conditions, health care and nutrition. The food service and medical care continue to improve. The budget for food increased in 2020 for an annual total of \$1,968,000.00. In 2022, the Government began a search for mental health professionals to work full-time at the BDOCS. It is expected that two psychiatrists and two psychologists will be on staff by March 2023. Officers are also expected to be trained to recognize mental incapacities. Inmates continue to have access to medical care upon entry and request. The medical services continue to be strengthened in order to meet special needs of inmates.

32. The BDOCS has included the Mandela Rules in its Core Values as well as in its curriculum for Trainee Correctional Officers. External training courses on the Rules are also taken by staff. The renovation of the maximum-security Housing Unit is ongoing. The Government expects to soon break ground for a new high security facility. The renovation of three medium-security dormitories and the Female Housing Unit is ongoing. A library has also been newly dedicated. The Remand Centre “F” Block is now identified as the Juvenile

Unit and a new Juvenile Dormitory is currently under construction with an expected completion date of March 2023. This facility will be completely detached from all adult facilities.

Corrections Department Transformation Programme

33. In 2019, a team of government and non-government officers conducted a 3-month Programme “Engage Communicate and Transform” within BDOCS. A total of 25 inmates participated in the programme. The goal of the programme was to address gender and sexual violence prevention.

Pilot Video and Electronic Visitation Programmes for inmates

34. In January 2022, the Government of The Bahamas launched the pilot Electronic Visitation and Virtual Visitation Programmes for inmates at BDOCS. The programmes offer inmates the opportunities to engage in contact with their loved ones using diverse means. The programmes are especially beneficial to those inmates with relatives dispersed throughout the archipelago or who may be challenged physically.

Trafficking in persons (TIP) (Recommendations 105.63—69, 105.71)

35. The Bahamas remains a point of transit for persons attempting to migrate to the United States of America, particularly economic immigrants from Haiti and Cuba. The Government maintains positive bilateral and regional cooperation to address this issue through joint and multilateral efforts. In addition to internal efforts, the Government is engaged in the processes relating to the United Nations Convention Against Transnational Organized Crime (UNTOC), particularly its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children.

36. For the reporting period, there have been 29 incidents of trafficking recorded by the police force. Specifically, in this reporting period, 2 matters were concluded in the Magistrate’s Court. The Government continues to monitor 3 TIP matters from previous reporting periods. The TIPS Task Force continues to provide comprehensive services to facilitate the well-being and recovery of victims and their children.

37. Assistance to victims includes food, utility, transportation, travel and translation services. Other services may include medical care, dental care and psychological counselling. Specifically, adults also receive assistance with job readiness skills and children receive free school uniforms and school supplies. In addition to these services, all victims are issued a monthly stipend for their upkeep. For the fiscal year 2023-2024, the Ministry of National Security allocated \$81,000 for the care of victims of trafficking, rent assistance, training and awareness campaigns.

38. In 2019, the TIP Hotline was launched. The Government approved a five-year Strategic TIP Action Plan for the period 2019-2023.

TIP Inter-Ministry Committee and TIP Task Force meetings

39. The TIP Inter-Ministry Committee and TIP Task Force continued bi-monthly meetings to discuss matters pertaining to TIP investigations, prosecution, victim care, training, public awareness as well as the country’s reporting obligation to meet regional and global compliance.

Establishment of TIP Secretariat

40. The TIP Secretariat was established in 2019 and is the national body to coordinate TIP activities. The TIP Secretariat assists with the coordination of efforts of the Inter Ministry Committee and TIP Task Force.

41. The Bahamas has partnered with INTERPOL and countries in the region to target Human Smuggling and Trafficking criminal networks. This national effort spans different

islands of The Bahamas and represents the second time The Bahamas has engaged in a regional and international enforcement activity to specifically target these crimes.

42. The Bahamas has completed a draft National Operational Plan to target Human Smuggling and Human Trafficking with inputs from all Law-Enforcement agencies, Office of the Director of Public Prosecutions and Ministry of Health. This operational plan will assist with the development of a Regional Operational Plan in conjunction with CARICOM IMPACS, INTERPOL, and other international partners in order to effectively coordinate regional operation initiatives.

TIP Inter-Ministry Committee Training

43. For 2019-2022, the TIP Inter-Ministry Committee trained a total of 3,399 persons from government, non-government agencies and members of the general public. Ministries and departments receiving training were RBPF, Royal Bahamas Defence Force (RBDF), Department of Immigration (DOI), Bahamas Customs, Bahamas Department of Corrections, Department of Labour, Department of Public Prosecution, Ministry of Foreign Affairs, Ministry of Health, Sandilands Rehabilitation Center, Ministry of Tourism, Department of Social Services, Port Department, and Ministry of National Security. Beginning January 2022, all recruits in the RBDF, DOI and RBPF were trained in their role in regard to TIPS.

44. TIPS Investigators have received specialized training and the Special Prosecutorial Team assigned to prosecute TIPS cases have increased. In addition, the Labour Department has hired 6 new Labour Inspectors that have also been trained. This increased staffing level will increase opportunities for increased inspections at work sites and increased opportunities for the identification of those exploited in various industries.

45. Additionally, TIP Secretariat staff and TIP Task Force Members have participated in external capacity building courses and both regional and international meetings. In April 2022, the United Nations Office on Drugs and Crime (UNODC) facilitated the “*Strengthening of National Response Against Drug Trafficking & Transnational Organized Crime in the Maritime Domain*” exercise in The Bahamas.

TIPCOM

46. In May 2021, The Bahamas held its first Annual Regional TIP Committee Meeting (TIPCOM), which was a “*A Regional Discussion on Successes and Challenges in Anti-Trafficking Activities*”.

Media campaigns

47. The TIP Inter-Ministry Committee continues its efforts to sensitize the public through advertisements, email broadcasts, informational banners, billboards and brochures, media briefing sessions on radio, television and print media, including Proclamations by the Prime Minister to commemorate the World Day against TIP.

Dissemination of TIP information

48. During 2021-2022, the TIP Inter-Ministry Committee distributed 23,980 brochures in Spanish, Creole and English. Brochures disseminated provided information on TIP, child trafficking, labour trafficking and victim’s rights.

Civil society (Recommendation 105.73)

49. The Government supports the development of Civil Society and continues to engage with them to address social and economic issues. The work of Civil Society Organizations (CSOs) in the protection of human rights, civil liberties and social justice plays a pivotal role in the fostering accountability, which is particularly important for marginalized groups.

50. The OAG created a new Compliance Unit with delegated authority for the supervision and monitoring of Non-Profit Organizations’ (NPOs) compliance with the requirements of the Non-Profit Organisations Act (2019). The NPO Act requires all NPOs operating in The

Bahamas to register, unless excluded by the Act or exempted by policy. Registration of NPOs began in May 2020 by the Registrar General. Currently, there are approximately 1,256 NPOs on the register.

51. The OAG, Registrar General's Department, and Department of Gender and Family Affairs within the Ministry of Social Services and Urban Development (MOSSUD) worked along with Civil Society Bahamas to formulate a national collaboration to facilitate the registration of more than 500 NGO Organizations. The Registrar General's Department has been able to process and issue more than 500 certificates with hundreds more being in process. The issued Certificate provides an avenue for the NPOs to be in compliance with national and international laws while empowering them with rights and privileges, including operation of bank accounts.

Freedom of Information (FOI) (Recommendation 105.74)

52. The Freedom of Information (FOI) Act guarantees and strengthens the fundamental principles of transparency, accountability of government accounts and public participation in national policy decision making. This Act 2017 repealed and replaced the Freedom of Information Act, No. 10 of 2012 which was passed but never brought into force. Sections providing for appointment of the Information Commissioner and staff were brought into effect 21 April 2017. Provisions bringing Whistle Blower provisions came into effect 1 March 2018. In 2021, the Government named the first FOI Commissioner and Deputy Commissioner. The FOI Unit has been expanded and the pilot program has been launched in 10 ministries and agencies.

Accountability, transparency and efficiency in public services (Recommendation 105.78)

53. MyGateway was launched in 2021. It is a part of the Government's digital transformation initiative to provide more efficient and effective government services and create a path of sustainable economic development for Bahamians. In the last two years, the platform has more than 94,000 registered users, generating over 110,000 applications processed to access over 55 services across 15 agencies.

54. The Government of The Bahamas through the Inter-American Development Bank has undertaken the investment of \$30 million in digital transformation to increase The Bahamas' global competitiveness. The objectives of this groundbreaking, 5-year project include placing 200 Government services online, strengthening cybersecurity, developing a national ICT strategy, and improving and increasing the use of ICT in the Public Service. This initiative will include partnerships with the private sector and corporations and will positively impact the customer experience when conducting business with the Government.¹¹

Eradication of Poverty (Recommendation 105.80)

55. The Government is intentional in ensuring that its programmes and policies continue in the trend to eradicate poverty in The Bahamas. There are programmes targeted to the poor and vulnerable sectors, which include Food Assistance, Rent Assistance, Financial Assistance (Uniform Assistance, Water, Electricity, Cooking Gas, Clothing, Furniture etc.) Burial Assistance, Fire Relief, Temporary Shelter and Disability Allowance.

56. In March 2021, a MIS system was developed and implemented to further enhance the delivery of service. This digital transformation enables a more effective efficient service delivery. The ProMis system is an automated system that clients can access within the framework of the social safety net reform and emergency Programmes. Technical Officers can input the clients' request through an Intake process, or they can access ProMis on the portal promis.gov.bs at their convenience.

57. The National Food Distribution Taskforce and Small Business Development Centre (SBDC) have been two major vehicles to mitigate food poverty through an emergency food assistance initiative and stimulate business activity and development.

Labour (Recommendations 105.81, 105.89)

58. Supported by the International Labour Organization (ILO), The Bahamas became the first Caribbean country to launch a second-generation Decent Work Country Programme (DWCP)¹² in December 2021. The five-year DWCP, which extends until 2026, ensure that Decent Work is embedded in national development, including in recovery and reconstruction efforts. The DWCP signifies the Government's commitment to social dialogue and the will to work with social partners in national development.

59. Decent work for Domestic Workers, which is enshrined in ILO Convention 189 and Recommendation 201. All workers within The Bahamas remain protected by the Employment Act, which is under review by the National Tripartite Council (NTC) for amendment to harmonize the conflict between the minimum age for leaving school and the minimum age for employment.

60. The Bahamas has Ratified 37 Conventions, of which 26 are in force, 4 have been denounced, 4 instruments abrogated, and 2 conventions ratified within the last 12 months. The Bahamas recently ratified two ILO Conventions, being ILO Convention 159 (Vocational Rehabilitation and Employment (Disabled Persons) Convention, 1983) and Convention 190 (Violence and Harassment Convention, 2019). Both conventions will not enter into force for The Bahamas until November 30, 2023.

61. For the Reporting Period 2017-2022, the Government submitted ILO Reports for the following conventions:

- C029 (Forced Labour Convention, 1930)
- C081 (Labour Inspection Convention, 1947)
- C087 (Freedom of Association and Protection of the Rights to Organise Convention, 1948)
- C097 (Migration for Employment Convention, 1949)
- C100 (Equal Remuneration Convention, 1951)
- C105 (Abolition of Forced Labour Convention, 1957)
- C111 (Discrimination Convention, 1958)
- C138 (Minimum Age Convention, 1973)
- C144 (Tripartite Consultation Convention, 1976)
- C182 (Worst Forms of Child Labour Convention, 1999)
- C185 (Seafarers' Identity Documents Convention, 2003)

62. The Department of Labour is working towards fulfilling all labour-related goals that have been established by Government. Since 2021, the Department has produced and submitted a Restructuring Plan that includes the reorganization of the Senior Management Team, the realignment of duties and responsibilities, and the establishment of two new Units within the Department to respond to the post-COVID-19 labour environment.

Rapid Response inspection Unit (RRIU) and International Labour Relations Unit (ILRU)

63. The RRIU was established in October 2021 and is the first responder to all complaints or queries lodged at the Department. The goal of the unit is to ensure that every matter concerning inspections, investigations, and employment disputes are responded to and resolved in an effective and efficient manner. Launched in February 2022, the ILRU aims to coordinate with the international community and fostering safe working spaces in The

Bahamas. The objective of the unit is to liaise with and obtain pertinent current information from all relevant labour organizations, and disseminate the information throughout The Bahamas, with a view of improving the overall conditions for all employees on the job. Having ratified Convention 190 in December 2022, the ILRU is now in the foundational stages of implementing a Gender Desk, which will assist the community with the implementation of standards and policies to protect the rights of women and men in the workplace.

Communications Desk

64. The Communications Desk was established in the beginning of 2022 and was formed as a sub-unit within the Legal Compliance & Communications Unit (LCCU). The Communications Desk aims to rebrand the Department both internally and externally, standardize internal forms of communication, promote job readiness, and increase awareness of services & initiatives to the public.

Separation of duties

65. The Government separated the duties of the Director of Labour and Registrar of Trade Unions in April 2022. This separation resulted in a major change in the Regulatory and Compliance Unit. All trade union matters and elections responsibilities were transferred to the newly established Office of the Registrar's portfolio with the exception of Ministerial polls. As a result, Regulatory and Compliance Unit was rebranded as the Legal, Compliance and Communications Unit. During the latter phase of the transition, the unit was tasked with the responsibility of uploading trade disputes referred by the Minister of Labour to The Bahamas Industrial Tribunal.

Minimum wage increase

66. The country's national minimum wage has increased from \$210 per week to \$260. For minimum wage earners in the public service, pay was retroactive dating from 1 July 2022, as with the private sector the pay increase was reflected in January 2023.

Health

Gender-neutral policy (Recommendation 105.79)

67. A minimum standard of healthcare services is provided to any person accessing the services regardless of race, creed, gender, political affiliation, religion or nationality.

Increase access to service (Recommendation 105.82)

68. The Ministry of Health and Wellness has plans underway to construct 2 new hospitals, 1 in New Providence and another on Grand Bahama. In addition, plans are also underway for the construction 9 new clinics across the family islands and for the renovation of a minimum of 17 essential health facilities across the archipelago. These initiatives are being executed to facilitate expanded access to health services while improving healthcare outcomes. There is also the planned purchase of 16 new ambulances to augment support for the delivery of emergency services across the country.

69. The roll-out of an electronic medical records platform in the public health system is also underway. This process is expected to gain momentum over the next several months. This platform will also serve as a mechanism for the implementation of structured telemedicine services to support health care services delivery between the different levels of care as well as at remote locations across the Family Islands. An allocation has been made in the national budget to support the catastrophic healthcare needs of residents with pre-determined health challenges. This is in addition to the existing mechanisms to support patients who require cardiac and dialysis support.

Strengthened maternal and child health service (Recommendations 105.83, 105.84)

70. The hospital in New Providence is being designed as a specialized hospital for maternal and child health services in its first phase. Additionally, plans are underway to revive work toward the establishment of two hospitals as baby-friendly hospitals and the national breastfeeding policy is being further developed. Preliminary discussions have begun with the development and introduction of an adolescent health policy. This is alongside work planned for the strengthening of services for children.

Access to quality care, prenatal care and reproductive health (Recommendation 105.84)

71. In The Bahamas, there is widespread access to free antenatal care and reproductive health throughout the archipelago. Further, efforts are being made to strengthen the programme to eliminate the mother-to-child transmission of syphilis. There are also plans underway to re-introduce an antenatal health information system (SIP Plus) to improve the delivery and monitoring of health services to this group and their babies.

National Health Insurance¹³

72. Established under the National Health Insurance Act in 2017, the National Health Insurance Authority (NHIA) delivers accessible, affordable, and quality healthcare for the benefit of all Bahamians. To date, the programme has over 100,000 persons enrolled into the program and this number continues to grow while maintaining patient satisfaction rates over 90% by offering a suite of Primary Care benefits, leveraging an expansive provider network, and implementing a modern electronic health record (EHR) with telehealth capabilities.

73. To date, more than 140,000 persons have access to these essential primary healthcare services across the country delivered through a network of 140 Providers across 70 facilities. In the first five years of the program NHI Bahamas has provided affordable access to high quality care, implemented a stable and predictable health financing model to The Bahamas and implemented the building blocks for Universal Health Coverage.

74. NHI will continue to roll out the program with the expansion of primary care through the Primary Care Transformation Initiative (PCTI) which aims to integrate the public and private primary care delivery networks throughout the country and provide a standard health benefit accessible to all Bahamians. Going forward digitization and transformation will remain a major focus of NHI expanding the technological capabilities of the program via the implementing of a national electronic record.

Education

75. Continuing with scripting the story of technology integration through the employment of ICTs, the Ministry of Education launched Virtual School in 2019. Virtual School is lauded as providing the landscape for education to erect several pillars, especially in the areas of training and the development of digital resources. These pillars undergird the inborn changes in education's pursuit to ensure equity and build a system that is responsive to disrupters.

76. The COVID-19 pandemic forced the Education Sector to pivot to the remote world of teaching and learning. The Ministry of Education has recognized the challenges for students resulting from the COVID-19 pandemic and has launched a programme to supplement instances where students have had their education disproportionately and negatively affected by the pandemic – the goal is to close the learning gap that resulted from challenges arising from the pandemic. Flexibility in the teaching method utilizing technology has strengthened the delivery of educational services. The Public Education System now has a fully functional Educational Management and Instructional System that is heavily relied on for statistical information as well as delivery of instruction.

Bahamas Education Learning & Management System (BELMS)

77. To ensure the safe continuance of education due to the COVID-19 pandemic, a strategic plan for the Safe Reopening of Schools was created. The plan centred around three

instructional models, any of which could be implemented at any given time, based on the health status of the country. While the COVID-19 pandemic presented many challenges, it also provided an opportunity to implement a digital system, which would not only support the current crisis/need but also support the future development and growth of the Bahamian educational system.

78. This crisis, on the heels of Hurricane Dorian, revealed gaps in communication, data management, and technology integration throughout the Department. There was a dire need to coordinate and centralize the many efforts being undertaken by individual stakeholders. The blueprint called for a system that would support teaching and learning, planning and data management, school management functions, and the day-to-day operations of the Department of Education. The onboarding the Education Management and Information System (EMIS) and development of a Learning Management System (LMS) to specifically meet the needs of the Bahamian education system were undertaken. The combined EMIS and LMS were later coined the BELMS.

Education budget (Recommendation 105.86)

79. The recurrent expenditure for Education is \$317,502,742 and the Capital Expenditure for Education is \$41,122,940. The Department of Education has an allocated recurrent expenditure of \$202,202,806 and the Ministry of Education and Technical and Vocational Training has a recurrent allocation of \$114,575,076.

Education and human rights

80. Civics is implemented in all public high schools and is taught once per week. It is a mandatory subject in order for high school students to obtain the National High School Diploma. Topics covered include human rights, rights of the child, women's rights and democratic principles in The Bahamas.

Women (Recommendations 105.91, 105.93, 105.95, 105.98—100, 105.103, 105.104)

81. Bahamian women continue to make a positive impact on international human rights. The first Bahamian candidate nominated to serve on the CEDAW Committee was re-elected in 2020¹⁴ and recently elected as Vice Chairperson and Rapporteur of the Committee in 2023. A Bahamian woman was also appointed as Independent Expert Member of the UN Permanent Forum of People of African Descent¹⁵. There was also a Bahamian woman elected to the HRC Advisory Committee¹⁶, who also represents the first person from the Caribbean to serve in that position.

Sex offender registry

82. The sex offender registry was fully established with resources, personnel and infrastructure in 2021. The registry keeps a list of all sexual offenders including their place of residence. In May 2022, sexual offenders' registration kiosks at various police stations were enabled. Members of the public will also be able to access persons who pose a risk to society via profile publications. Also, with the system, magistrates can log onto the platform while in court and transmit information directly, thereby removing the manual process.

National machinery

83. In 2016, the Bureau of Women's Affairs was expanded into a Department of Gender and Family Affairs (DGFA) in order to ensure a more comprehensive, participatory approach to tackling the country's social challenges while creating programmes to address education, training, employment and social justice for men and women, boys and girls.

84. The human resources of the DGFA increased. Additional technical and support staff have been employed. Since 2018, personnel include a GBV Expert, Educational and Curriculum Officer, Gender Officer, Research Analyst, an Administrative Assistant and a Male Programme Coordinator.

85. A Male Desk was established in 2018, which complements and supports the programmes for women and girls. The Male Programme Coordinator also serves as an executive member of the Caribbean Male Action Network (CariMAN). CariMAN's vision is to “*achieve gender justice for all*”.

Marital rape

86. The Government is currently reviewing draft legislation that addresses marital rape and has initiated an open-ended consultation process concerning the proposed legislation. In September 2022, the Government of The Bahamas circulated for consultation a bill to criminalise marital rape. The Sexual Offences (Amendment) Bill, 2022, would repeal section three of the current law by removing the words “*who is not a spouse*” from the definition of rape.

Domestic Violence Unit

87. In July 2022, the RBPF established the Domestic Violence Unit, which works in partnership with the MOSSUD. The Unit is comprised of subject experts from the agencies and whose responsibilities are to investigate domestic violence related crimes. In addition, the Unit serves as a liaison to victim/health care providers, advocacy groups and social services. Also, the Unit develops strategies to improve identification and the reporting of existing instances of domestic violence and develop prevention strategies linking law enforcement and community efforts.

GBV in emergencies capacity building programme

88. In the aftermath of Hurricane Dorian, at least 70,000 people were left homeless due to severe damages or complete destruction of their homes. Approximately 5,000 displaced persons, including women and girls, were housed in shelters across New Providence, Grand Bahama, and Abaco. While in the shelters, the risks of GBV, exploitation and abuse were heightened, particularly for women and girls. In this regard, Government Agencies and NGOs and civil society were mobilized and capacities strengthened to mitigate the risks of GBV.

89. Facilitated by the United Nations Population Fund (UNFPA), international certified trainings of GBV in Emergencies (GBViE) and Prevention of Sexual Exploitation and Abuse (PSEA) took place in Abaco, Grand Bahama and New Providence. A Central Emergency Response Fund (CERF) grant in the amount of \$20,400 was provided by UNFPA for capacity building and training for first responders, key stakeholders, including staff of the MOSSUD and NGO partners.

GBV intervention for perpetrators

90. In February 2020, the DGFA in collaboration with the Caribbean Male Action Network (CariMAN), held a three-day workshop and a one-day symposium entitled “*Perpetrators Violence Intervention and Prevention Workshop - Addressing GBV through Community Interventions*”. The Workshop, which was conducted with a gender perspective, aimed to provide the capacity of trainees to effectively rehabilitate perpetrators of GBV and have them return to their families and communities as productive persons. A total of 72 persons participated in the training, including 34 government officers (15 men and 19 women), and 38 representatives from civil society and Faith-Based Organizations (11 men and 27 women).

Family Island initiatives

91. In 2021, a GBV in Emergency campaign was conducted in all Family Islands. There were over 500 participants. In July 2022, the staff of the DGFA, in collaboration with The Bahamas Crisis Centre, conducted consultations and GBV Prevention awareness campaigns on Abaco.

92. Meetings have also been conducted in South, Central and North Abaco for Government and Non-Government Leaders, Pastors and Community Advocates to discuss violence prevention, safety of survivors of abuse, develop programs for perpetrators of abuse

to become productive citizens, and for the mapping of services and resources for the implementation of a GBV Family Island Coordinated Council (FICC).

National Discriminatory Law Review Forum

93. In February 2022, the Government, in partnership with UN Women, hosted a National Discriminatory Law Review Forum, which contributed to the formulation of new public policies and a Plan of Action. In view of strengthening legal and policy frameworks, the Forum facilitated discussion on recommendations for measures to address the absence of specific legislation as well as potential amendments to existing laws to ensure further equality for women and girls.

94. Attended by Parliamentarians, representatives from almost 35 Non-Government Organizations (NGOs), Non-Profit Organizations (NPOs) and Community-Based Organizations (CBOs) also participated.

Children (Recommendation 105.110)

95. The Government continues to take a systematic approach to ensure that children's rights are protected throughout The Bahamas.

Mandatory Action Rescuing Children Operation (MARCO) Alert System

96. After being tabled in Parliament in 2016, the Mandatory Action Rescuing Children Operation (MARCO) Alert System is in effect as of 2022. The system is immediately activated once a child is reported missing by their family and details are given to the police. The Public Warning Alert enables the police to send out a broadcast through commercial radio stations, television broadcasts, teletext communications, electronic network systems, and billboards when the Commissioner of Police determines that a child is missing.

The National Child Protection Council and National Committee for Families and Children

97. The Government will reappoint members of the National Child Protection Council and the National Committee for Families and Children in 2023. The Government continues to provide an annual grant to the Council to improve their ability to promote the CRC and public campaign for children.

Persons with disabilities (Recommendations 105.113—121)

98. The Government remains committed to upholding and promoting international standards regarding Persons with Disabilities (PwDs). The Bahamas continues its efforts to enforce the CRPD and the corresponding Persons with Disabilities (Equal Opportunities) Act 2014.

Equal Opportunities Act

99. The Equal Opportunities Act outlines a social protection policy for PwDs, guaranteeing their civil, political, economic and cultural rights, including the rights to vote, employment, housing and transportation. In terms of cultural rights, an example of inclusion would be the participation of PwDs in the annual Junkanoo parades, which has also seen the recent formation of the Chosen Ones Group, comprising of differently-abled persons.

100. The adoption of necessary measures to ensure the effective implementation and socialization of the Equal opportunities Act continues through the crafting of regulations and fines for infractions. The process of making buildings accessible is ongoing and a team of inspectors to enforce the Act has begun with one Inspector already being engaged and interviews currently being conducted for additional inspectors.

The National Commission for PwDs (NCPD)

101. The NCPD, the statutory body mandated to carry out the provisions of the Act, has been actively engaged on these issues. With over 383 persons being registered with the NCPD, efforts continue to align national legislation on the rights of PwDs with the CRPD.

102. The work of the NCPD is ongoing with programmes and initiatives relating to transportation, disaster preparedness, and public awareness campaigns such as Town Hall Meetings, Public Service Announcements (PSAs) on radio and television, and the distribution of brochures and newsletters. The NCPD also facilitates a database by registering PwDs in The Bahamas. The Commission uses the information to assist in developing public policy and measures for the benefit and wellbeing of PwDs.¹⁷ The Commission and its Secretariat have established a 24-hour text and call line as a part of the measures it has implemented to ensure that the needs of PwDs are being met and with a view of bringing any matters to a speedy resolution.

AccessAbility Bahamas

103. The AccessAbility Bahamas Application was launched in 2022 and partially funded by UNDP. It is designed to help to ensure inclusion and accessibility while equalizing opportunities for PwDs. The application provides one-touch access to Emergency Services, NEMA Alerts and important news and information as well as Sign-Language Interpretation. The application will soon be a booking mechanism for a subsidized transport system and the Department of Labour will soon enable job listings. There are over 100 users of the application.

Amendment of the Education Act

104. While the Constitution guarantees free education up to age sixteen, modifications to the Education Act facilitated the incorporation of an integrated and rights-based approach to the education of PwDs as well as the provision of adaptive tools. Incorporation of PwDs into the mainstream education system has been demonstrated in various age level groups at public schools through the accommodations for smaller group learning environments as well as inclusion in collective activities such as sports, special events etc.

The University of The Bahamas

105. The University of The Bahamas (UB) established the Mingoes Access Center (MAC) with the Office of Disabilities and Compliance in 2022 to provide an accessible and inclusive space for equitable social engagement and academic support. Since inception, 34 students with disabilities have registered to receive accommodations.

Migration (Recommendations 105.124, 105.126, 105.127, 105.129, 105.130, 105.132)

106. Bringing together various stakeholders including the Refugee Unit and Civil Society, the Migration Working Group (MWG) has continued to meet during the Reporting Period, focusing on the effective implementation of migration-related obligations, with a particular focus on the impact of Hurricane Dorian in 2019. In 2019, the MWG also developed quarterly meetings with the local UNHCR representative.

107. The Bahamas also continues to engage with the Caribbean Migration Consultation (CMC) mechanism and subregional efforts, such as the 2018 Consultation Meeting of Latin America and the Caribbean as a Regional Contribution to the Global Compact on Refugees. In December 2019, the MWG met with the CMC in Jamaica to discuss the Plan of Action to address Human Mobility and the CMC for the year 2020, which was sponsored by the International Organization for Migration (IOM) and the United Nations High Commissioner for Refugees (UNHCR). In 2021, MWG members participated in the UNHCR Caribbean Sub-regional Workshop on International Refugee Law and Statelessness.

Legislation

108. On 1 November 2014, the Government brought into effect a new Policy, seeking to regularize the status of persons born in The Bahamas to non- Bahamian parents, who are entitled to apply for citizenship upon attaining the age of 18. The intent of this new regulation is to allow the bearer of this status, to live, work, and attend school, during their formative years, and also pending a determination of their citizenship application. This status has become known as a Resident Belonger Permit. It falls within the ambit of section 30 A of the Immigration Act and was brought into force on 8 May 2015. During the Reporting Period, a total of 2,815 Resident Belonger permits were granted.

109. The Passport Office no longer issues Certificates of Identity to persons born of non-nationals in The Bahamas. Those individuals who have valid Certificates of Identity must now obtain the passport of their nationality and apply for a residency permit which will show that they have a right to live and work in The Bahamas. There are no exceptions to this except in accordance with international treaty obligations. A special residency permit will be available for those individuals who have the right to apply for Bahamian citizenship at the age of 18 and before their 19th birthday. This will allow the holder to live, work and go to school in The Bahamas until such time as their citizenship status is determined. These are obtained upon application at the DOI. The policy of the DOI states that all applications that are submitted to the Department relating to children born in The Bahamas to foreign parents, the individual had to obtain a passport of his/her mother's nationality.

Public policy

110. The Bahamas continues to be the recipient of large numbers of irregular migrants either seeking employment in The Bahamas or using the country as a transit point to the United States of America. The Bahamas has long informed the international community of its incapacity to effectively process the continued influx of irregular migrants, the majority of whom are from Haiti and Cuba. Moreover, to affect the smooth return of irregular migrants not qualifying for refugee status, the Bahamas has signed Memorandums of Understanding that govern the return of nationals from Cuba and Haiti, respectively.

111. The Bahamas maintains a policy of detention and repatriation of irregular migrants. The policy applies to all irregular migrants irrespective of race, colour or place of origin. Notwithstanding its policy of detention and repatriation, all persons living in The Bahamas have free access to education, health care and social services without regard to their immigration status.

Refugees and detainees

112. The 2022 reporting period showed uncharacteristically high numbers in the processing of irregular migrants and those requesting asylum. In keeping with protocols developed in consultation with the United Nations High Commissioner for Refugees (UNHCR), 705 persons were screened, 9 persons were interviewed and 2 were processed for refugee status in 2022.

113. The Government continues to take every effort to improve the efficiency of detention, interview and repatriation exercises, being guided by the 1951 Convention and its 1967 Protocol. The Refugee Administration Unit (RAU) has reaffirmed that all applications are considered by merit and each matter adjudicated on a case-by-case basis. The RAU has made alternative recommendations to asylum where protection may be warranted but person does not meet the requisite criteria. The DOI continues to uphold its mandate and mission to regulate the movement of people across the borders of The Bahamas.

Repatriations

114. The country has repatriated 4,748 persons in 2022; 2,813 persons in 2021; 964 persons in 2020; 2,663 persons in 2019; and 2,290 persons in 2018. A large percentage of those repatriated are Haitian nationals. Jamaicans, Cuban, Dominicans and Brazilians also make up a large percentage of those repatriated. During the Reporting Period, the Government spent an estimated \$4,656,634 on repatriations, which includes payments for translations, flights, food, accommodations, supplies etc.

Applications for permits

115. The DOI continues to receive a large number of applications for permits. During the Reporting Period, there were 174,885 permits issued, resulting from applications for work permits, permits to reside and resident belonger permits as well as resident spousal and homeowner cards.

The Carmichael Road Detention Centre (DC)

116. The Government, in an effort to be more proactive, has established a DC Working Group, comprising representation from the OAG, the Ministry of Foreign Affairs (MFA) and the DOI. The meetings are held once a week to discuss issues that the DC faces while, at the same time, putting into place human rights protocols in an effort to protect the dignity of all persons at the DC.

117. The policy for women detainees with children to be in separate accommodations, in keeping with international standards, still stands. The new Clinic at the DC is expected to open in 2023 and new beds are expected to furnish the Female and Male dormitories early 2023.

118. The Bahamas Red Cross remains a vital partner of the Government in assisting with donations of clothing, blankets, toiletries and miscellaneous items as necessary for the women and children. The DOI continues to work closely with the local office of UNHCR.

Access to justice (Recommendation 105.76)

119. During the last reporting period, the Rehabilitation of Offenders Act was amended (2015) to allow for the expungement of select criminal records. To date, 115 records have been expunged.

120. The digitization of the judicial system, the courts themselves, and the implementation of a digital case management system at the OAG and all related agencies before the courts has provided a more efficient judicial, adjudication system.

Sexual Offences Court

121. The Sexual Offences court is soon to be housed in an only stand-alone courtroom operated by the Judiciary, which will provide the necessary privacy and anonymity required to facilitate the needs of the court.

Court modernization and reform initiative

122. The Judiciary has made strides to modernize and digitize the court processes. The ultimate objective is to provide court users with a Court system which is commensurate with international judicial standards.

The Digitization Project

123. In December 2020, an agreement was executed to commence digitization of court records. This project is closely aligned to the Integrated Case Management System (ICMS) and will ultimately facilitate the migration to data/e-filing. Court documents and dockets will be digitized and input into the ICMS to provide real time access to court files. As of January 2023, over 33,000 court files were scanned and will be indexed, verified and uploaded to the system. The end product will allow end users to identify court records by name, file number, key words, etc.

The Digital Recording System

124. In 2022, an additional advance feature to the digital court recording was included with the use of artificial intelligence. This "*Speech to Text*" (STT) feature will allow audio recordings captured to be transcribed into a draft transcript for litigators and court usage.

Policy and procedure manual

125. In July 2022, the Judiciary in consultation with the National Center for State Courts approved a Policy and Procedure manual for the use, management, and support of the ‘*For The Record*’ (“FTR”) DCR systems. The judiciary has drafted and completed its user manual to govern both court users and judicial bench to be used as a guide for courtroom management, usage of the DCR system and supervision of the audio recordings. The manual is expected to be periodically updated, with both mandatory and recommended policies and procedures for all aspects of digital court recording and will be distributed to all users of the DCR system including judicial officers, court staff and the Bar.

Swift justice

126. Swift Justice meetings are held weekly in order for various stakeholders to discuss criminal matters before the Supreme Court and to provide prosecutors with the necessary documents that were requested for various cases. Stakeholders include the Criminal Investigation Department (CID), Police Forensic Laboratory, BDOCS and the Public Hospital Authority.

127. Current records of the Office of the Director of Public Prosecutions reflect that there are 946 active matters before the Supreme Court and the figure fluctuates every two weeks as new matters are arraigned in the Supreme Court as well as the issuance of convictions, acquittals etc.

128. There are 15 inactive matters before the Supreme Court with no trial dates and not before any particular judge, which result from the impact of the COVID-19 pandemic and the retirement of Judges. Additionally, there are approximately 341 ‘committal’ matters, which have come from the Magistrates’ Court to the Supreme Court.

Office of The Public Defender (OPD)

129. Established in 2017, the role of the OPD is to provide legal services to persons where there is a constitutional right to a lawyer when such a person is accused of a criminal offense and the person is unable to afford an attorney. The arm of the office, not only extends to the Court of Appeal and the Supreme Court but also to the Magistrate Court, particularly in circumstances involving juvenile offenders where the magistrate, seized of the matter, is of the view that the Justice of the case requires that the juvenile be legally represented from arraignment. Through its work, the OPD engages in public awareness and education on the role of the office and why Criminal Justice reform is relevant and necessary.

130. Since 2017, the OPD received 353 criminal files shared between the Court of Appeal and the Supreme Court.

Family court

131. A site has been allocated to The Judiciary to house the Family Court and the Courts’ Arbitration/Mediation services. The Judiciary has engaged the services of a consultant, with experience in the formation of a comprehensive family court in the Caribbean region, to assist with the layout and logistics involved with setting up the facilities. The Judiciary is reviewing preliminary plans with the assigned architect to ensure proper work flows for the spaces. Justices in the Family Division are also reviewing the existing legislation and court processes to draft the necessary changes/amendments to existing legislation and rules.

132. The Justices and other judicial officers have participated in training seminars on Arbitration and Mediation. The Bahamas Judicial Institute will set the criteria for the certification of Mediators and will appoint a Mediation Coordinator to manage the Court-connected mediation process for the courts.

133. The work of identifying legislation which requires reform is being passed to the working committee to ensure a focused approach to any necessary procedural and substantive legislative reform which is required to facilitate an effective Family Court.

Legal aid

134. The Eugene Dupuch Law School Legal Aid Clinic serves as a training facility for students of the Law School and is operated for the benefit of persons who are unable to afford the services of a practitioner in private practice. The Clinic also hosts free community legal aid clinics and free lectures to increase awareness of legal matters. For the academic year 2021-2022, the Clinic provided 158 consultations, and as of August 2022, it had 207 clients.

Racism

135. The Government is unequivocally opposed to, and does not sponsor, defend or support racial discrimination. Protection against discrimination on the grounds of race, creed, place of origin, political opinion, colour or creed by any person, group or organization is granted under Article 26 of the Constitution. This article has been and remains the guiding principle by which the Government enforces the law regarding those persons, groups or organizations that attempt to practise or promote a discriminatory policy or agenda. Any individual which feels that he or she is being subjected to discrimination in any form has the right, under the Constitution, to seek redress through the court system, or through one of the four Commissions established to guarantee that all rights enshrined within the Constitution are upheld.

136. The Government maintains that there are no governmental, national or local policies, laws or regulations operating in The Bahamas, which have the effect of creating or perpetuating racial discrimination. To date, there remain no complaints on the basis of racial discrimination.

IV. National priorities and commitments of The Bahamas**HRC membership and voluntary commitments¹⁸**

137. The Bahamas' election to the HRC for the term 2019-2021 represented the first Member State of the Caribbean Community (CARICOM) to the body. The country's membership provided the unique opportunity to demonstrate the country's commitment to human rights while bringing increased diversity to the international discourse on global human rights issues such as women, children, PwDs, migration, health, SIDS and sustainable development.

138. The Bahamas consistently cosponsors and supports a number of resolutions of the HRC, including those relating to human rights and climate change, women and girls, children, the right to development, the right to food, the right to work, human rights and climate change. The country also supported efforts to establish the Special Rapporteur on the promotion and protection of human rights in the context of climate change.

139. The voluntary pledges made by the country for its Council Membership remain priorities for The Bahamas Government, with efforts in continuous motion to ensure that human rights are upheld at the highest standards.

Bahamas Agriculture and Marine Science Institute (BAMSI)

140. The Bahamas Agriculture and Marine Science Institute (BAMSI) continues to grow exponentially, offering teaching and training in various branches of agriculture and marine science, including academic degrees in Agriculture, Marine Science, Aquaculture, Agribusiness, Environmental Science and more. The Institute and its programs are registered and approved by the National Accreditation and Equivalency Council of The Bahamas (NAECOB). The programs provide the professional and technical qualifications necessary for various branches of agriculture and marine science and offer strong academic training and extensive hands-on orientation with the goal of providing students with the entrepreneurial and technical skills needed to make an effective and immediate impact.

141. During the period 2019-2022, a total of 44 students graduates from the institution. The Fall 2022 semester saw nearly 70 new students enrolled at BAMSI.

142. By revitalizing the fields of agricultural and marine science, BAMSI is diversifying the country's economy, encouraging entrepreneurship and training and promoting community development. Recently, the Institute launched a climate change advocacy initiative, which will focus on community outreach to bring awareness about the effects of climate change.

National Training Agency (NTA)

143. The National Training Agency (NTA) continues to achieve significant results in providing competency-based training and job placement assistance. Over the period 2018-2019, a total of 1,020 young Bahamians completed workforce preparation and received certifications in various disciplines. As of June 2019, there were 5,320 trainees between the ages of 16-30 years. Of the total participants in the 2018/2019 academic year, 84% successfully obtained international certifications with the job placement rate increasing to 74%. The NTA also provided training for 260 at-risk youth in soft skills, numeracy, literacy and technical skills. The Agency works with the Ministry of Public Service by providing training in soft skills for the National Job Creation and Skills Enhancement Programme (NJCSEP). The COVID-19 pandemic resulted in the Agency having to convert from face-to-face learning to an online platform, which ran five cohorts of students.

V. Challenges and constraints

144. The Bahamas continues to experience challenges with its capacity to enforce and report to the human rights instruments to which it is State Party. The NRCM is evolving in hopes to guide the implementation of obligations, reporting and the monitoring of the recommendations.

Expectations of the State

145. The Government reiterates that the accession of the majority of the Member States to the international human rights instruments still provides an important benchmark to measure human rights standards. The Bahamas will continue its internal review of the remaining instruments and mechanisms.

Capacity building

146. The Bahamas has demonstrated its commitment to building its capacity through the consistent provision of training and programmes, where possible, while seeking external assistance to complement its efforts. The Bahamas has benefitted from a number of regional and international capacity building initiatives. The country remains committed to improving the implementation of human rights obligations and welcomes further opportunities, including technical assistance, from the international community to increase its capacity building.

Requests for technical assistance

147. The Government continues to actively seek technical assistance and welcomes support in securing such that may assist in the development and promotion of human rights in The Bahamas.

Conclusion

148. The Government of The Bahamas reaffirms its commitment to uphold its commitments to human rights obligations and standards and will continue its efforts to their

promotion and protection. The Government welcomes the opportunity to share its updates on matters relating to human rights and welcomes the opportunity to participate in this third cycle of the UPR process.

Notes

- ¹ https://www.ohchr.org/sites/default/files/Documents/Publications/HR_PUB_16_1_NMRF_PracticalGuide.pdf
- ² <https://www.ohchr.org/en/hr-bodies/hrc/trust-fund/beneficiaries>
- ³ <https://www.elections.gov.bs/2021-general-election-results/>
- ⁴ <https://publications.iadb.org/en/impact-hurricane-dorian-bahamas-view-sky>
- ⁵ <https://publications.iadb.org/publications/english/document/Assessment-of-the-Effects-and-Impacts-of-the-COVID-19-Pandemic-in-The-Bahamas.pdf>
- ⁶ <https://www.royalbahamaspolice.org/statistics/CommissionersPolicingPlan2022.pdf>
- ⁷ <https://hdr.undp.org/data-center/specific-country-data#/countries/BHS>
- ⁸ <https://opm.gov.bs/the-bahamian-government-signed-on-to-the-united-nations-multi-country-sustainable-development-cooperation-framework/>
- ⁹ https://bahamasbudget.gov.bs/media/filer_public/83/e0/83e0c758-d929-4ae4-bfda-df44d1a54ed5/value_added_tax_amendmentno_2_bill_2021_-_31_october_2021_4.pdf
- ¹⁰ Attorney General (Appellant) v Shannon Tyreck Rolle et al SCC iv App. No.62 of 2020 [Case ID: JCPC 2022/0015]
- ¹¹ <https://mygateway.gov.bs/>
- ¹² https://www.ilo.org/caribbean/information-resources/publications/WCMS_835920/lang-en/index.htm#:~:text=The%20DWCP%20for%202021%2D2026,and%20the%20COVID%2D19%20pandemic.
- ¹³ <https://www.nhibahamas.gov.bs/>
- ¹⁴ <https://mofa.gov.bs/cedaw-candidate-for-reelection/>
- ¹⁵ <https://mofa.gov.bs/ms-gaynel-diana-curry-of-the-bahamas-appointed-to-the-united-nations-permanent-forum-for-people-of-african-descent/>
- ¹⁶ <https://mofa.gov.bs/jewel-major-elected-to-un-human-rights-committee/>
- ¹⁷ <https://disabilitiescommissionbahamas.org/register.html>
- ¹⁸ A full list of commitments may be found in UN document A/73/358 containing Note verbale dated 30 August 2018 from the Permanent Mission of the Bahamas to the United Nations addressed to the President of the General Assembly.