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COMMISSION ON HUMAN RIGHTS
Thirty-Eighth Session

IMPLEMENTATION OF THE INTERNATIONAL CONVENTION ON THE
SUPPRESSION AND PUNISHMENT OF THE CRIME OF APARTHEID

Reports submitted by States parties under
article VII of the Convention

Addendum

BARBADOS

[17 July 1981]

Although the Legislature of Barbados has not made Apartheid a crime and punishable as such, certain provisions of the Constitution prevent its practice by ensuring equality of treatment for all.

Section 11 of the Constitution bestows upon every person in Barbados the fundamental rights and freedoms of the individual irrespective of his race, place of origin, political opinions, colour, creed, or sex - these being the right to life, liberty, and security of the person; protection of the privacy of his home and other property and from deprivation of property without compensation; protection of the law; and freedom of conscience, of expression, and of assembly and association - these rights and freedoms being subject to certain limitations.

These are safeguarded by sections 12 to 22, while section 25 renders unconstitutional (and therefore void) any discriminatory law that may be passed; discriminatory treatment of any person by any person acting by virtue of any written law or in the performance of the functions of any public office or authority is also forbidden. Section 24 lays down a procedure for the enforcement of the protective provisions.

By section 33(1) of the Public Order Act Cap.168A a person is guilty of an offence if -

(a) knowingly he publishes or distributes written matter which is threatening, abusive, or insulting; or

(b) he uses in any public place or at any public meeting words which are threatening, abusive, or insulting,

being matter or words intended or which may reasonably be interpreted as likely to stir up or be capable of stirring up hatred against any section of the public in Barbados distinguished by colour, race or creed.

Section 3 of the Labour Department Act, Cap. 23, imposes on the Chief Labour Officer the duty of receiving and investigating all representations made to him concerning any business, trade, occupation, or employment with a view to the settlement of disputes and grievances, among other things. Any attempt to practise apartheid in this field would be swiftly and effectively checked.

In the circumstances outlined above it is inconceivable that apartheid could be introduced into Barbados.

No judicial measures have so far been adopted specifically to give effect to any provisions of the Convention.