



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 The Bahamas*

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 any significant developments in the legal and institutional framework within which human rights are promoted and protected that have taken place since the ratification of the Covenant, especially in the past 10 years. Please indicate whether the State Party intends to ratify the Optional Protocol to the Covenant, thereby recognizing the competence of the Committee to receive and consider individual communications.

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 clarify the status of the Covenant in the domestic legal system. Please explain whether its provisions can be invoked directly before domestic courts and include recent examples of cases in which they have been directly applied by the courts. Please also specify the measures taken to raise awareness of the Covenant and of international human rights obligations among judges, lawyers, prosecutors, law enforcement officials and the general public, and to provide specific training on the Covenant.

3. Please provide updated information on the implementation of the 2024 Ombudsman Act and on the progress made to establish an independent national human rights institution in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles). Please describe the measures taken to ensure that the institution will be provided with adequate human, technical and financial resources to enable it to fully carry out its mandate, and indicate whether it will have the authority to investigate complaints concerning all forms of alleged human rights violations. Please also provide information on the mandate and work of the Parliamentary Human Rights Committee, established in 2023.

Anti-corruption measures (arts. 2 and 25)

4. Please provide information on the legal and institutional frameworks in place and measures taken to prevent and combat corruption effectively, particularly cases involving politicians and political parties, high-level public officials, judges, prosecutors and law enforcement officials. Please respond to reports of widespread corruption by immigration officials, including bribe-seeking, and explain if any disciplinary or corrective measures have

* Adopted by the Committee at its 144th session (23 June–17 July 2025).



been taken. Please provide statistical information on the number of investigations, prosecutions and convictions in cases of corruption over the past 10 years.

Non-discrimination (arts. 2, 19, 20 and 26)

5. Please provide information on measures taken to ensure protection from and the prohibition of all forms of discrimination in the public and the private sectors, including direct, indirect and multiple discrimination, and on all the grounds covered by the Covenant, including race, sex, gender, sexual orientation, gender identity, marital status, disability and health status. In this regard, please indicate whether the State Party intends to adopt comprehensive anti-discrimination legislation and to bring the definition of discrimination in article 26 (3) of the Constitution into line with the Covenant. Please provide statistical and disaggregated data on complaints of discrimination received over the past 10 years, indicating the basis of the discrimination, the characteristics of the victims, the nature of investigations conducted and their outcome, and any redress provided to victims.

6. Please discuss the efforts made, including awareness-raising campaigns and education programmes, to combat and prevent hate crimes, hate speech and other acts of discrimination, stigmatization and violence, particularly against migrants and persons living with HIV/AIDS and on the basis of a person's real or perceived sexual orientation or gender identity. Please report on steps taken to align the age of sexual consent between persons of the same and of the opposite sex and to repeal outdated or discriminatory criminal law, including the mention of "unnatural crime" in the Sexual Offences and Domestic Violence Act.

7. Please provide information on the legislative and other measures taken to ensure the promotion and protection of the rights of ethnic minorities, particularly Haitians and persons of Haitian descent. Please describe measures taken to combat and prevent their social stigmatization and social exclusion and to provide equal access to essential services and remedies for discrimination. Please respond to allegations of racial profiling of Haitians and persons of Haitian descent by law enforcement officials and describe the measures taken to ensure that law enforcement officials are held accountable for offences against persons belonging to racial, national or ethnic minority groups, including statistical and disaggregated data on the number of investigations carried out, prosecutions initiated and convictions handed down over the past 10 years in cases of racial profiling or police misconduct against Haitians and persons of Haitian descent.

Gender equality (arts. 3, 25 and 26)

8. Please indicate the measures taken in law, policy and practice to ensure equality between men and women and to end discriminatory practices and stereotypical attitudes about the traditional roles of women and men in the family and in society, which can prevent women from fully participating in political and public life. Please describe steps taken to introduce statutory quotas for women in national and local legislative assemblies and in decision-making positions. Please provide information on measures taken to increase women's participation in the labour market and ensure equal pay for work of equal value.

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

9. Please provide information on measures taken, including training and awareness-raising activities, to prevent and combat all forms of violence against women, including femicide, and on the impact of those measures. In particular, please provide information on progress made to strengthen the legal framework and policies for the protection of women against domestic violence by, inter alia, adopting a comprehensive law on gender-based violence and amending the Sexual Offences and Domestic Violence Act in order to criminalize marital rape. Please also provide disaggregated data on cases of violence against women over the past 10 years, including on the complaints received, the investigations and prosecutions pursued, the sentences imposed and the compensation received by victims or relatives.

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

10. Please provide information on the steps taken to amend the legal framework regulating termination of pregnancy: (a) to provide safe, legal and effective access to abortion at least where the life and health of the pregnant woman or girl is at risk, or where carrying a pregnancy to term would cause the pregnant woman or girl substantial pain or suffering, in particular when the pregnancy is the result of rape or incest or when the pregnancy is not viable; and (b) to end the criminalization of women and girls who undergo an abortion and of medical service providers who perform the procedure. Please describe the measures taken to ensure that women do not have to resort to unsafe abortions that may put their lives or health at risk, and the steps taken to prevent the stigmatization of women and girls seeking abortion. Please also indicate any steps taken to provide sexual and reproductive health services, including accessible and affordable means of contraception, and education and awareness-raising programmes, especially youth-friendly programmes, that focus on the importance of contraception and of sexual and reproductive health rights.

Right to life (art. 6)

11. Please provide information on the concrete steps taken towards the abolition of the death penalty and indicate whether the State Party intends to ratify the Second Optional Protocol to the Covenant, aiming at the abolition of the death penalty. Pending the abolition of the death penalty, please provide information on the steps taken towards an official moratorium on executions and to ensure that all related laws comply with evolving standards on the right to life. Following the decisions of the Judicial Committee of the Privy Council in *Bowe v. The Queen* (2006) and *Lockhart v. The Queen* (2011), please clarify the criteria and methods of assessment used to determine what crimes qualify as the “worst of the worst” crimes and whether the death penalty is still a mandatory sentence for certain crimes.

12. Please provide information on the legal framework and policies in place to combat the escalating rates of crime, including homicide and violence, particularly gang and vigilante violence. Please provide disaggregated data on investigations conducted, convictions secured against perpetrators and sanctions imposed, and on the remedies provided to victims.

13. Please provide information on the legal regulation of the use of force by the police, including during demonstrations, and on whether the relevant laws comply with 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. Please respond to allegations of misconduct by the Royal Bahamas Police Force and the results of any investigations carried out in this respect. Please provide information on the measures taken to ensure that the Police Complaints Inspectorate is properly resourced to carry out its mandate, especially the consideration of reports of police misconduct and use of force.

14. Recalling the Committee’s general comment No. 36 (2018) (para. 62), please provide information about efforts to prevent and mitigate the effects of climate change, environmental degradation and natural disasters, including sea-level rise, particularly on the right to life, in all areas of the State Party’s territory. Please include specific information about: (a) the measures taken following Hurricane Dorian in 2019, including relocation of affected persons and communities; and (b) inclusive processes for the participation of civil society organizations and the public, including women, young people, persons with disabilities, Indigenous Peoples and rural communities, in the development and implementation of legislation and policy on climate change.

Prohibition of torture and other cruel, inhuman or degrading treatment or punishment (art. 7)

15. Please provide information on the legislative framework for preventing and combating torture and the excessive use of force, including the definition of these offences, the penalties established under criminal law and their compatibility with the Covenant. Please provide information on: (a) the measures taken, including any training for law enforcement officials, to prevent, investigate and punish all acts of torture and cruel, inhuman or degrading treatment in places of detention; and (b) the number of complaints received concerning

torture or ill-treatment over the past 10 years, investigations, prosecutions, convictions and penalties in these cases, and the remedies provided to victims and their families.

Treatment of persons deprived of their liberty (art. 10)

16. Please provide information on progress made: (a) to address overcrowding in places of detention; and (b) to ensure adequate access to clean drinking water, food, clothing, bedding, hygiene and sanitation facilities, health and medical services, legal counsel and family contact. Please report on steps taken to ensure that solitary confinement is used only in exceptional cases as a last resort and for as short a time as possible, is subject to independent review, is applied only pursuant to authorization by a competent authority and is not imposed on minors under any circumstances. Please provide information on the mechanisms in place to receive and address complaints by persons deprived of their liberty and to monitor and inspect all places of deprivation of liberty, including the Carmichael Road Detention Centre.

Liberty and security of person (arts. 9 and 14)

17. Please indicate all the measures in place to ensure full compliance with the fundamental procedural safeguards in respect of detained persons, including the right to be promptly informed of their rights and the reasons for their detention in a language that they understand, the right to have prompt access to a lawyer, the right to be brought promptly before a judge and the right to regular judicial review of their detention. In this regard, please provide information on the measures taken to ensure effective implementation of articles 18 and 19 of the Criminal Procedure Code Act, and respond to information that detained persons are often kept in police custody for significantly longer periods than established by law, without any notification of the charges against them or judicial oversight. Please report on the measures taken to ensure that persons in pretrial detention are held separately from convicted persons and to reduce the use and duration of pretrial detention, including by increasing the application of non-custodial alternatives to pretrial detention.

Elimination of slavery, servitude and trafficking in persons (arts. 2, 7, 8 and 26)

18. Please report on the efforts made, including training for law enforcement officials, border guards, judges, prosecutors and related personnel, to effectively detect, prevent and investigate cases of trafficking, particularly trafficking of women and children for labour or sexual exploitation. With regard to the Trafficking in Persons (Prevention and Suppression) Act of 2008, please provide specific data on the number of complaints of trafficking in persons received, the investigations and prosecutions pursued, the convictions secured, the nature of the sentences imposed, and the reparation and protection afforded to victims, including access to medical and psychosocial assistance and appropriate shelter. Please provide information on the mechanisms in place to ensure that persons in need of international protection are correctly identified and referred to the services that they need, and to prevent labour exploitation of migrant workers, particularly temporary and domestic workers.

Treatment of aliens, including migrants, refugees and asylum-seekers (arts. 7, 9, 12, 13, 24 and 26)

19. Please clarify the legal framework governing immigration-related detention and report on measures taken to ensure that the detention of migrants and asylum-seekers is necessary and proportionate, is applied for the shortest possible period of time and is subject to periodic judicial review by an independent judicial body and that non-custodial alternatives are available. Please provide information on measures taken to ensure that all persons applying for international protection in the State Party have access to fair and efficient asylum procedures, protection against refoulement and an appeal mechanism with suspensive effect against negative decisions on their asylum claim. Please comment on reports of pushbacks and collective expulsions of migrants, especially to Haiti and Cuba, without proper assessment of their needs for international protection.

20. Please provide information on the procedure for the determination of statelessness and on measures taken to prevent and address statelessness in the State Party, including any

amendment made to repeal discriminatory provisions in the Constitution and the Bahamas Nationality Act of 1973. Please indicate the measures in place to ensure that stateless persons have access to essential services, including education, healthcare, housing, employment, and civil registration and documentation.

Access to justice, independence of the judiciary and fair trial (arts. 2, 9 and 14)

21. Please provide information on the steps taken to guarantee, in law and in practice, the full independence and impartiality of the judiciary and the public prosecution service, including information on the current procedures and criteria for the selection, appointment, promotion, suspension, disciplining and removal of judges. In this regard, please discuss the measures taken to efficiently implement the Court Services Act of 2023 and provide information on the role and activities of the Court Services Council. Please also indicate the efforts made: (a) to reduce delays in the administration of justice and address the backlog of cases; and (b) to improve access to free legal assistance.

Freedom of expression (arts. 19 and 20)

22. Please provide information on the legal and regulatory frameworks governing the right to freedom of expression in the State Party, including any legal restrictions or practices that may affect the access to the Internet, digital platforms and social media, particularly on remote islands, and the measures taken to ensure the protection of human rights defenders, journalists and media workers against harassment, intimidation, surveillance, threats, reprisals and verbal and physical attacks. Please indicate whether any steps have been taken to decriminalize defamation and to ensure that libel cases are handled by civil courts rather than criminal courts. Please provide information on the mandate of the Broadcasting Corporation of The Bahamas and the steps taken to ensure its independence and impartiality.

Right of peaceful assembly and freedom of association (arts. 21 and 22)

23. Please provide information on the guarantees in place to ensure the right of peaceful assembly and the right to freedom of association enshrined in articles 21 and 22 of the Covenant, and indicate whether there are any restrictions on the registration and operation of trade unions and civil society organizations, the right to collective bargaining and the right to strike. Please provide information covering the past 10 years on: (a) permits issued and denied for assemblies and the grounds for denial; and (b) any protests that have been dispersed, including the legal basis for the dispersal, and any detentions of or judicial proceedings against protesters.

Rights of the child (arts. 7, 10 and 24)

24. Please describe the measures taken to repeal any legislation that provides for the imposition of corporal punishment on children, in any setting, including in judicial sentencing, prisons, schools, day care and at home, and any steps taken to raise awareness among professionals and parents about the harmful impact of corporal punishment on children and to promote non-violent forms of discipline.

25. Please provide information on measures taken to ensure that the juvenile justice system takes into consideration the specific needs of children in conflict with the law. Please report on the steps taken: (a) to raise the minimum age of criminal responsibility in accordance with international standards; (b) to ensure that children in conflict with the law are provided with legal counsel, including by establishing the Office of the Minor's Advocate, and that they are deprived of liberty only as a measure of last resort and for the shortest possible period of time; (c) to ensure that children in conflict with the law are accommodated in child-appropriate facilities that are separated from adult detainees and that provide access to education and healthcare.

Participation in public affairs (arts. 25 and 26)

26. Please report on measures taken to foster political pluralism and to ensure the inclusion and participation of members of the political opposition, minorities and young people in decision-making on matters of national interest. Please indicate the steps taken to

improve the clarity of the rules governing the financing of political parties, campaign funds and elections, with the aim of increasing transparency. Please also discuss the efforts taken to establish an independent election management body to supervise the electoral process and ensure that elections are conducted fairly and impartially.
