

to the relevant prosecutor's office had received threats, and a cameraman who had taken pictures of the inmates being ill treated was also reportedly subjected to repeated threats and harassment.



## BAHAMAS

**Date of admission to UN:** 18 September 1973.

### TREATIES: RATIFICATIONS AND RESERVATIONS

**Land and People:** Bahamas has not submitted a core document for use by treaty bodies.

#### Racial Discrimination

Succeeded: 5 August 1975.

The fifth through 12th (1984–1998) periodic reports of Bahamas have not been submitted; the 12th periodic report was due 4 September 1998.

*Reservations and Declarations:* Article 4.

#### Discrimination against Women

Acceded: 6 October 1993.

Bahamas' initial report was due 5 November 1994.

*Reservations and Declarations:* Paragraph (a) of article 2; paragraph 2 of article 9; paragraph (h) of article 16; paragraph 1 of article 29.

#### Rights of the Child

Signed: 30 October 1990; ratified: 20 February 1991.

Bahamas' initial and second reports were due 21 March 1993 and 1998 respectively.

*Reservations and Declarations:* Article 2.

### THEMATIC REPORTS

#### Mechanisms of the Commission on Human Rights

**Extrajudicial, summary or arbitrary execution, Special Rapporteur on:** (E/CN.4/1998/68, paras. 12, 27, 86, 90; E/CN.4/1998/68/Add.1, paras. 23–24)

An urgent appeal was sent to the government related to the death penalty and failure to respect the right to appeal and/or to seek pardon or commutation of the sentence. The case involved an individual who was reportedly scheduled to be executed on 29 July 1997. Information received indicated that the execution had been approved despite the fact that not all avenues of appeal had been exhausted, and the condemned man had reportedly not been able to apply for leave to appeal to the Judicial Committee of the Privy Council in London, the final court of appeal for the Bahamas. It was also reported that the Court of Appeal in the Bahamas had not yet given the reasons for rejecting the appeal. The government's reply stated that the laws do not provide for a

period within which applications to the Privy Council for special leave to appeal must be filed, and that the Governor General's Administrative Rules require merely an intimation to the Governor General that the convict intends to appeal to the Judicial Committee of the Privy Council for special leave to appeal, whereupon the execution will be postponed. The government stated that the reasons for decisions made by the Court of Appeal are not a necessary precondition for the filing of an application for special leave to appeal; therefore, the authorities concluded that sufficient time had been available for the sentenced man to give the necessary intimation to the Governor General of his intention to apply to the Privy Council for special leave to appeal.

The Special Rapporteur (SR) also recalled commentary in previous reports referring to the 1993 judgement of the Privy Council of the United Kingdom in which it was held that awaiting the execution of a death sentence for five years after it had been handed down constituted in itself cruel and inhuman punishment. The report notes that, in October 1996, the Privy Council ruled that, in the Bahamas, it may be considered cruel or inhuman to execute a prisoner who has been on death row for more than three and a half years. According to the information received, the Privy Council was of the view that the five-year ruling was not to be regarded as a fixed limit applicable in all cases, but as a norm from which decisions may depart if circumstances require. The SR expressed concern that such decisions might encourage governments to carry out death sentences more speedily which, in turn, might affect the defendants' rights to full appeal procedures. He reiterated that solving the problem of the anguish of awaiting execution on death row by executing persons faster is unacceptable.



## BARBADOS

**Date of admission to UN:** 9 December 1966.

### TREATIES: RATIFICATIONS AND RESERVATIONS

**Land and People:** Barbados submitted a core document (HRI/CORE/1/Add.64) for use by the treaty bodies. The report prepared by the government contains demographic and statistical data as well as an overview of the political history and structure of government. The Constitution contains a bill of rights comparatively similar to the Universal Declaration and guarantees a number of basic freedoms, including: the rights to life and personal liberty; protection from slavery and forced labour; protection from inhuman treatment; protection from deprivation of property; protection against arbitrary search or entry; the rights to freedom of conscience, expression, assembly and association; the right to freedom of movement; protection from discrimination on grounds of race, place of origin, political opinions,