

CANDIDATURE OF THE BAHAMAS FOR ELECTION TO THE HUMAN RIGHTS COUNCIL (2019-2021)

Voluntary pledges and commitments in accordance with General Assembly resolution A/RES/60/251

Introduction

1. The Bahamas, a Small Island Developing State (SIDS), is seeking **first-time election to the Human Rights Council** as a demonstration of its unwavering commitment to the promotion and protection of human rights and fundamental freedoms for all. The Bahamas believes that the fundamental rights and freedoms of all people must be protected and that small States ought to have a voice in ensuring such protection.
2. The Bahamas is the **first Member-State of the Caribbean Community (CARICOM) to seek election to the Human Rights Council**. The Bahamas' candidacy was endorsed by CARICOM in September 2016. The Bahamas' election to the Human Rights Council would provide a unique opportunity to bring increased diversity to the international discourse on and consideration of global human rights issues, from the perspective of a small State. The Bahamas firmly believes in the need to ensure inclusiveness and participation for all Member-States in the work of the Human Rights Council.
3. The Bahamas has a long and proud history of democracy and the rule of law, with the third oldest parliamentary system in the Western Hemisphere. The Bahamas has a robust legislative framework for the promotion and protection of human rights and fundamental freedoms for all, which are enshrined in its Constitution.

Our commitment at the international level

4. The Bahamas is party to seven of the core international human rights treaties as follows:
 - (i) Convention on the Elimination of all forms of Discrimination Against Women (CEDAW);
 - (ii) Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (UNCAT);
 - (iii) International Covenant on Civil and Political Rights (ICCPR);
 - (iv) International Covenant on Economic, Social and Cultural Rights (ICESCR);

- (v) International Convention on the Elimination of all forms of Racial Discrimination (CERD);
 - (vi) Convention on the Rights of Persons with Disabilities (CRPD); and
 - (vii) Convention on the Rights of the Child (CRC).
5. The Bahamas has also ratified the Optional Protocol to the Convention on the Rights of the Child in the Involvement of Children in Armed Conflict (CRC-OP-AC) and the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography (CRC-OP-SC).
 6. The Bahamas is **fully committed to the realization of the 2030 Agenda for Sustainable Development** and recognizes the importance of advancing human rights as a pillar of such efforts. The Bahamas reaffirmed this in its Voluntary National Review on the Sustainable Development Goals to the High Level Political Forum of the United Nations Economic and Social Council, presented in July 2018.
 7. **The Bahamas consistently co-sponsors and supports a number of General Assembly resolutions under the rubric of human rights**, including those on trafficking in women and girls, supporting efforts to end obstetric fistula, rights of the child, right to food, right to self-determination, right to development and enhancement of international cooperation in the field of human rights..
 8. In May 2013 The Bahamas established its Permanent Mission to the United Nations Office and other International Organizations in Geneva. That Mission has continued to demonstrate The Bahamas' unwavering commitment to human rights, and its interest in, and support for, the global human rights agenda. The Bahamas has a keen interest in the work of the Human Rights Council and desires to deepen its contribution to the advancement of human rights principles and values at the international level with special focus on, *inter alia*, issues related to women, children, persons with disabilities, migration, health, SIDS and sustainable development.
 9. The Bahamas **has engaged actively in the important work of the Human Rights Council** through consistently increasing its participation in the Universal Periodic Reviews (UPRs) of Member States, through the co-sponsorship of key resolutions, joint Statements and the delivery of national and regional statements in the Council on issues such as the rights of the child, eliminating violence against women, the rights of persons with disabilities, promoting human rights through sport, youth and human rights, the right to education, National Institutions for the Promotion and Protection of Human Rights, enhancement of technical cooperation

and capacity-building, SIDS at the HRC, and promoting human rights of people of African Descent.^[sc1] The Bahamas has also hosted side-events in the margins of the annual HRC Sessions on issues it seeks to highlight at the Council. The following are some key examples of such efforts:

- a. The Bahamas co-hosted its first side-event and brochure launch in the margins of the 35th session of the HRC entitled **“Beyond the 100 per cent participation of CARICOM at the HRC: Opportunities and Challenges for the LDCs/SIDS Trust Fund”**. On this occasion the OHCHR brochure entitled *“Voices of the CARICOM in the Human Rights Council”* was launched highlighting the historic milestone of participation by all CARICOM SIDS in the HRC through the support of the LDCs/SIDS Trust Fund. Thereby, **The Bahamas became the first beneficiary country of the Fund to have financially sponsored an OHCHR publication relating to the Trust Fund** since it became operational in January 2014.
 - b. **The Bahamas also delivered the first joint CARICOM statement in the Human Rights Council** during the Annual Full Day Discussion on Women at the 35th Session of the HRC.
 - c. The Bahamas participates as a member of several Groups of Friends (GoFs) including the GoF on SIDS and the GoF of National Mechanisms for Reporting and Follow-up (NMRFs).
10. These activities demonstrate some of what The Bahamas has been able to achieve in the 5 years since it established a Mission in Geneva, through sustained commitment and dedication to the work of the Council.
11. The Bahamas’ long-term mission in seeking election to the Human Rights Council is to ensure that, in the exercise of foreign policy, human rights issues are central to the global discourse and are mainstreamed throughout the work of the United Nations system
12. As a Member of CARICOM, **The Bahamas actively participated in the UN Treaty Body strengthening process** and is committed to supporting improvements to the treaty body system, particularly those aimed at enhancing efficiencies and ensuring that Human Rights reporting does not prove a burden but is an opportunity for sustained and meaningful engagement with Treaty Bodies.
13. The Bahamas supports the work of the special procedures mandate holders of the Human Rights Council and has **extended a standing invitation to all mandate holders since 2013**. Moreover, the Special Rapporteur on trafficking in persons, especially women and children, undertook a field visit to The Bahamas in

December 2013. In this context, The Bahamas was commended for its willingness to combat trafficking in persons and for its adoption in 2008 of a comprehensive law on trafficking in persons. The Bahamas has established a National Task Force on Trafficking in Persons and an Inter-Ministerial Committee on Trafficking in Persons. The Bahamas also extended an invitation to the UN Special Rapporteur on violence against women, its causes and consequences, who conducted a visit to The Bahamas in December 2017. **The Group of Friends of the Convention Against Torture Initiative (CTI) also visited The Bahamas in November 2017** to discuss with national authorities the challenges to ratifying and implementing the Convention as well as ways in which assistance can be provided. The Bahamas on 31 May 2018 ratified the Convention against Torture.

14. **The Bahamas has successfully undergone its first, second and third reviews under the UPR** in December 2008, January 2013 and January 2018 and has accepted a significant number of recommendations for implementation and for further review.
15. **The Bahamas also underwent, in 2012, its review under the CEDAW and pledged its firm commitment to gender equality and the empowerment of women. The Bahamas will appear before the CEDAW Committee again in October 2018** consistent with the fulfillment of its obligations under the Convention. As a demonstration of its commitment to gender equality and the empowerment of women, The Bahamas participates actively, at the Ministerial level, in the annual sessions of the Commission on the Status of Women and makes an annual voluntary contribution to the core resources of UN Women.
16. **The Bahamas** demonstrated its commitment to the empowerment and advancement of the rights of women both nationally and internationally **by our support for the election of the first Bahamian national to a UN Treaty Body, CEDAW**, in June 2016, in the person of Ms. Marion Bethel, a renown gender champion in The Bahamas.
17. The Bahamas has consistently demonstrated, in practice, its commitment to human rights and fundamental freedoms by engaging with OHCHR and the UN:
 - a. In June, 2013 as a result of its request for technical assistance with the management of its reporting obligations under the International Conventions, The Bahamas agreed to be one of three states to participate in a Case Study, conducted by the United Nations Human Rights, Office of The High Commissioner. “National Mechanism for Reporting and Follow-up”, is a study of state engagement with International Human Rights

Mechanisms. The study was completed in 2015 and published in 2016. The purpose of the research study was to assist states parties and other actors to share knowledge, information and relevant good practices regarding national reporting and coordinating mechanisms. The study focused on the experiences of different countries in establishing a national reporting and coordinating mechanism for reporting United Nations human rights bodies and for following up the implementation of the decisions and recommendations of these bodies. The study included 4 case studies which looked at the current practices and challenges faced in the establishment of mechanisms in these countries.

- b. In February, 2014 after The Bahamas requested technical assistance a workshop and training was held on the “The Reporting Process and Implementation of The United Nations Treaty Body System”. The topics covered during the workshop were; Overview of the International Human Rights System, the Reporting Process, The Treaty Bodies-Bringing Human Rights Home, Individual complaints and inquiry procedures, Treaty Implementation, Mapping exercise prioritizing recommendations of treaty bodies, special procedures and UPR.
- c. The Bahamas is pleased that its request for technical assistance has been granted in the form of opportunities of training their Officers. The Bahamas nominated four of their officers to be trained by the Office of The High Commission for Human Rights (OHCHR) Regional Workshop on the UPR, in July, 2015 and in December of 2015, The Bahamas sent two of its officers to a OHCHR-sponsored Training of Trainers Programme for the English Speaking Caribbean Countries, Canada and the USA on the UN Human Rights Conventions. One of its Officers was invited to speak and to be an expert and resource person at the Regional Workshop on the UPR held in Novotel Suva, Fiji in November, 2015.
- d. The Bahamas chaired the high-level side event held in March 2017 to mark the fifth anniversary of the Least Developed Countries and Small Island Developing States’ Trust Fund.
- e. The Bahamas has been a recipient of the Least Developed Countries and Small Island Developing States’ Trust Fund, both as a fellow and in the 37th session of the Council.
- f. Partnership with UNHCR on matter relating to migration.

Our commitment at the regional level

18. As the endorsed CARICOM candidate to the Council, The Bahamas undertakes to be an advocate within the sub-region on human rights issues and to promote

increased participation by CARICOM in the work of the HRC. The Bahamas commits to sharing experiences and lessons learned at the regional level and beyond, in the domain of human rights.

19. In the framework of the Regional Solidarity with the Caribbean Programme, a new regional dialogue, the Caribbean Migration Consultations, were launched in 2016 with the support of UNHCR and IOM. The Bahamas was the delegation that highlighted the need for developing rights-based migration policies as the foundation for a comprehensive and effective management of mixed migration using a regional coordination platform to achieve this goal. The Bahamas hosted the Second Caribbean Migration Consultations in December 2017 with the participation of twenty Caribbean Countries.
20. As a member of a number of regional and sub-regional bodies including the Organization of American States (OAS), the Community of Latin American and Caribbean Countries (CELAC), the Association of Caribbean States (ACS) and Caricom, The Bahamas pledges to work within these organizations to further promote and protect human rights on a regional level.
21. The Bahamas is a State Party to regional human rights instruments including the Inter-American Convention on the Prevention, Punishment and eradication of violence against women “Convention of Belem Do Para”.

Our commitment at the national level

22. The Bahamas, to further enhance existing safeguards, is currently considering additional legislative measures to promote and protect human rights on matters relating to migration, sexual offences and other matters.
23. The Bahamas intends to establish a National Human Rights Institution (NHRI) in accordance with the Paris Principles and has tabled the Ombudsman Bill in 2017, towards this end.
24. In 2015, The Bahamas established a standing National Mechanism for Reporting and Follow-up (NMRF). This is an inter-ministerial working group with the following terms of reference; to design a master framework for the scheduling, preparation and submission of the required reports for each treaty; to design a procedure for the delegation of recommendations forwarded by the Treaty Committees; to formulate a strategy for the implementation of the recommendations accepted to

the responsible agency; to determine and develop a monitoring device for the recommendations implemented.

Pledges and commitments

25. If elected to the Human Rights Council, The Bahamas makes the following commitments:

- a. to uphold the highest standards in the promotion and protection of human rights;
- b. to fully support and engage constructively in the deliberations of the Human Rights Council, its subsidiary bodies and mechanisms including the special procedures;
- c. to openly and constructively engage in a robust universal review procedure including reporting on measures taken to follow-up on its recommendations;
- d. to meaningfully engage with our regional partners, including civil society, on issues relating to human rights and to share best practices and lessons learned in this regard;
- e. to protect against and prevent discrimination in all its forms, in both law and in practice;
- f. to assist in the development of a National Reporting Cooperation Mechanism (NRCM) within the region and to support them to exchange best practices;
- g. to advocate diversity and inclusivity on the Human Rights Council to ensure that all Small Island Developing States have a voice on the pre-eminent United Nations body responsible for the promotion and the protection of human rights;
- h. to ensure that, in the exercise of foreign policy, human rights issues are central to the global discourse and are mainstreamed throughout the work of the United Nations system;
- i. to continue to support all efforts aimed at guaranteeing effective responses by the international community to global human rights violations, such as prevention and early action;
- j. to promote international discourse on areas of human rights of particular concern to Small Island Developing States, for example, human rights and the environment, climate change[2], public service delivery and local government;
- k. to continue to advocate for the development of the institutional and human rights capacity of Small Island Developing States and Least Developed Countries;

- l. to contribute at the international level to the advancement of women's rights, children's rights, the rights of persons with disabilities and the advancement of human rights aspects of migration, health and sustainable development;
 - m. to review and implement accepted recommendations from The Bahamas' UPR;
 - n. to submit reports in a timely manner and implement concluding observations;
 - o. to contribute to the global reform of the treaty body system;
 - p. to cooperate with special procedures, accepting requests for visits, and responding to communications and follow-up on recommendations; and
 - q. to contribute to international initiatives for the protection of human rights through the provision of financial resources.
27. The Bahamas pledges its full commitment to supporting all efforts aimed at guaranteeing effective responses by the international community to global human rights violations and new and existing human rights challenges.
28. The Bahamas, therefore, welcomes the invaluable support of Member-States for its candidature for election to the United Nations Human Rights Council.