



Greater Caribbean for Life
committed to the abolition of the death penalty



Barbados' Compliance with the International Covenant on Civil and Political Rights

Suggested List of Issues Prior to Reporting Relating to: The Death Penalty

Submitted by The Advocates for Human Rights

a non-governmental organization in special consultative status with ECOSOC since 1996

The World Coalition Against the Death Penalty

and

The Greater Caribbean for Life

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The Advocates for Human Rights (The Advocates) is a volunteer-based non-governmental organization committed to the impartial promotion and protection of international human rights standards and the rule of law since its founding in 1983. The Advocates conducts a range of programs to promote human rights in the United States and around the world, including monitoring and fact finding, direct legal representation, education and training, and publication. The Advocates is the primary provider of legal services to low-income asylum seekers in the Upper Midwest region of the United States. The Advocates is committed to ensuring human rights protection for women around the world. The Advocates has published more than 25 reports on violence against women as a human rights issue, provided consultation and commentary of draft laws on domestic violence, and trained lawyers, police, prosecutors, judges, and other law enforcement personnel to effectively implement new and existing laws on domestic violence. In 1991, The Advocates adopted a formal commitment to oppose the death penalty worldwide and organized a death penalty project to provide pro bono assistance on post-conviction appeals, as well as education and advocacy to end capital punishment. The Advocates currently holds a seat on the Steering Committee of the World Coalition against the Death Penalty.

The World Coalition Against the Death Penalty is a volunteer-based non-government organization committed to strengthen the international dimension of the fight against the death penalty. Established in 2002, its ultimate objective is to obtain the universal abolition of the death penalty. To achieve its goal, the World Coalition advocates for a definitive end to death sentences and executions in those countries where the death penalty is in force. In some countries, it is seeking to obtain a reduction in the use of capital punishment as a first step towards abolition.

The Greater Caribbean for Life (GCL) is an independent, not-for-profit civil society organization that was established in Port of Spain, Trinidad on October 2, 2013 to unite Caribbean abolitionist organizations and individuals. The region comprises 25 countries, including 13 Caribbean islands, the Caribbean states of South America (Columbia, Venezuela, and the

Guyanas), the countries of Central America and Mexico, in addition to Puerto Rico, and the US, British, Dutch and French Caribbean territories. In the struggle against the death penalty, GCL reflects the greatest respect to the right to life. GCL has members in 16 Caribbean States and territories. This initiative began on October 19, 2011, when a group of organizations and individuals from countries of the Greater Caribbean opposed to the application of capital punishment, participated in an International Conference in Madrid on the Death Penalty in the Greater Caribbean. The Conference was organized by the Community of Sant'Edigio. GCL was constituted with the purpose of campaigning for and working towards the permanent abolition of the death penalty in the Greater Caribbean; supporting Caribbean abolitionist activists and organizations in this region; and collaborating with the international abolitionist community.

EXECUTIVE SUMMARY

1. This report proposes questions the Committee should ask the Government of Barbados in its List of Issues Prior to Reporting, particularly with respect to the death penalty, death row conditions, and due process protections in capital cases.
2. In 2019, Barbados removed the mandatory death penalty from its Constitution.¹ While Barbados has maintained a *de facto* moratorium on executions since 1984, formal abolition of the death penalty would prevent any possibility of the resumption of executions.
3. In Barbados, the death penalty remains available for murder, in addition to crimes that do not rise to the level of “most serious” because they do not require the accused to have the intent to kill, such as espionage and military crimes.²
4. As of the end of 2023, four people are on death row.³ But a 2022 survey suggests that public support for the death penalty remains high,⁴ and hangings could resume at any time.⁵ In addition, post-conviction and pre-trial detention policies do not comply with international norms.
5. There is sparse information related to access to counsel for indigent persons accused of a crime, training and guidance for defense attorneys representing individuals accused of a capital offense, and criminal procedure training for law enforcement, prosecutors, and defense counsel in Barbados.
6. This report recommends that Barbados finalize its efforts to abolish the death penalty, commute the sentences of people currently under sentence of death, bring detention conditions into compliance with international human rights standards, and ensure the fair trial and due process rights of all persons suspected of committing crimes, including capital offenses.

¹ Amnesty International, *Death Penalty 2019: Global Executions Fell by 5%, Hitting A 10-Year Low*, (April 20, 2020) Also available online at <https://www.amnestyusa.org/reports/death-penalty-2019/>.

² Offenses Against the Person Act [Barbados], BB 1994 ACT 18 (1994), <https://www.warnathgroup.com/wp-content/uploads/2015/03/Barbados-Offences-Against-the-Person-Act.pdf>.

³ Amnesty International, *Death Sentences and Executions 2023*, ACT 50/7952/2024, (May 2024). Also available at <https://www.amnesty.org/en/documents/act50/7952/2024/en/>.

⁴ Marlon Madden, *Survey Finds Barbadians Prefer Rehab for Criminals Over Just Punishment*, Barbados Today, Nov. 17, 2022, <https://barbadostoday.bb/2022/11/17/survey-finds-barbadians-prefer-rehab-for-criminals-over-just-punishment/>.

⁵ Human Rights Committee, *Consideration of Reports Submitted by States Parties Under Article 40 of the Covenant* (June 2, 2009) U.N. Doc. CCPR/C/BRB/CO/3/Add. 1, ¶ 7.

Barbados fails to uphold its obligations under the International Covenant on Civil and Political Rights.

I. Barbados' continued retention of the death penalty is not in accordance with international norms (2007 Concluding Observations Paragraph 9).

Although Barbados has abolished the mandatory death penalty, it has not abolished the death penalty de jure or acceded to the Second Optional Protocol to the Covenant.

7. In 2007, the Committee recommended that Barbados should “consider the abolition of the death penalty and accession to the Second Optional Protocol to the Covenant.”⁶ The Committee also recommended that Barbados amend its laws related to the death penalty and remove mandatory death sentences.⁷ The Committee identified these issues for priority follow-up.⁸
8. In its 2009 State Party report on Follow-up to Concluding Observations, Barbados stated that “the death penalty *per se* . . . will remain available under the laws of Barbados. All of the opinion polls and surveys taken in the country show that public sentiment strongly favors retention of the death penalty as the suitable punishment against the crime of murder.”⁹
9. Barbados has not carried out an execution since 1984.¹⁰ Article 12 of Barbados’ Constitution states: “No person shall be deprived of his life intentionally save in execution of the sentence of a court in respect of a criminal offense under the law of Barbados of which he has been convicted.”¹¹ The death penalty is not an available punishment for people under the age of 18 or for pregnant women.¹²
10. Barbados retains the death penalty for more than the most serious crimes. The Offenses Against the Person Act authorizes the death penalty for murder,¹³ yet it is also available for treason, terrorism—including terrorism-related offenses that do not result in death—espionage, and military crimes, all of which do not require that the accused intended to kill or that the accused’s conduct resulted in death.¹⁴

⁶ Human Rights Committee, *Consideration of Reports Submitted by States Parties Under Article 40 of the Covenant* (May 11, 2007) U.N. Doc. CCPR/C/BRB/CO/3, ¶ 9.

⁷ Human Rights Committee, *Consideration of Reports Submitted by States Parties Under Article 40 of the Covenant* (May 11, 2007) U.N. Doc. CCPR/C/BRB/CO/3, ¶ 9.

⁸ *Id.* ¶ 15.

⁹ Human Rights Committee, *Consideration of Reports Submitted by States Parties Under Article 40 of the Covenant: Barbados, Information received from Barbados on the implementation of the concluding observations of the Human Rights Committee* (June 2, 2009) U.N. Doc. CCPR/C/BRB/CO/3/Add. 1, ¶ 7.

¹⁰ Amnesty International, *Barbados: Imminent Execution*, AMR 15/001/2024, (Sept. 2024). Also available at <https://www.amnesty.org/ar/wp-content/uploads/2021/06/amr150012004en.pdf/>.

¹¹ THE CONSTITUTION OF BARBADOS Art. 12.

¹² Juvenile Offenders Act [Barbados], BB 2002 Cum Supp. To 1971 Rev. CAP. 138, Part VI, ¶ 14 (2009), <https://www.cavehill.uwi.edu/lawlibrary/getattachment/fcb9ccd6-2eea-463c-8d9c-9183d82f3c95/JUVENILE-OFFENDERS-ACT.aspx>.

¹³ OFFENSES AGAINST THE PERSON ACT, Art. 2. Available online at <https://www.warnathgroup.com/wp-content/uploads/2015/03/Barbados-Offences-Against-the-Person-Act.pdf>.

¹⁴ CAP. 155A Treason [Barbados], ¶ 7,

<https://www.barbadoslawcourts.gov.bb/assets/content/pdfs/statutes/TreasonCAP155A.pdf>.

11. Although authorities have not carried out an execution in 40 years, Barbados has not made any progress toward abolition. Since 2007, Barbados has voted against every UN General Assembly resolution calling for a worldwide moratorium on the use of the death penalty.¹⁵ Barbados has also failed to ratify the Second Optional Protocol to the Covenant.¹⁶
12. In June 2018, the Caribbean Court of Justice (CCJ) ruled that the mandatory death penalty violated the Constitution of Barbados.¹⁷ The CCJ found that the mandatory death penalty violates the right to life and the right to be free from inhuman and degrading treatment because it does not allow courts to consider mitigating factors.¹⁸ In 2019, both Houses of Parliament passed the Constitution Amendment Bill 2019 to repeal the mandatory death penalty for murder.¹⁹ Parliament also amended the Offenses Against the Person Act, establishing guidelines for resentencing individuals who were then on death row for murder.²⁰
13. Under the 2018 Amendment to the Offenses Against the Person Act, a Court may sentence a person convicted of murder to death if one of several aggravating factors are present, such as the offender committing the crime “with a high level of brutality, cruelty, depravity, or callousness,” the crime involving “calculated or lengthy planning,” or the victim being a member of the police force.²¹ The law also authorized courts to consider any “exceptional circumstances” when justifying a death sentence.²²
14. It is unclear whether the law authorizes or requires sentencing and resentencing courts to consider gender-specific mitigation. In a 2018 study, the Cornell Center on the Death Penalty Worldwide found that, in the global context, women are more vulnerable and most likely to be sentenced to death for criminal offenses committed within the context of gender-based

¹⁵ UN Digital Library, United Nations Voting Records. Also available at <https://digitallibrary.un.org/record/3894866?ln=en>; International Commission Against the Death Penalty, *UNGA Moratorium Resolution*, available at <https://icomdp.org/unga/> (last visited Dec. 7, 2024)

¹⁶ United Nations Human Rights, *Status of Ratification Interactive Dashboard*, (2020), Available online at <https://indicators.ohchr.org/>.

¹⁷ Press Release, The World Coalition Against the Death Penalty, *Caribbean Court of Justice strikes down mandatory death penalty in Barbados*, (June 18, 2018). Available online at <https://worldcoalition.org/2018/06/27/caribbean-court-of-justice-strikes-down-mandatory-death-penalty-in-barbados/>.

¹⁸ Press Release, *The World Coalition Against the Death Penalty, Caribbean Court of Justice strikes down mandatory death penalty in Barbados*, (June 18, 2018). Available online at <https://worldcoalition.org/2018/06/27/caribbean-court-of-justice-strikes-down-mandatory-death-penalty-in-barbados/>.

¹⁹ Colville Mounsey, *Barbados Parliament Passes Constitutional Amendment Eliminating Mandatory Death Penalty Sentences*, Constitution Net, April 15 2019, [https://constitutionnet.org/news/barbados-parliament-passes-constitutional-amendment-eliminating-mandatory-death-penalty#:~:text=The%20Constitution%20\(Amendment\)%20Bill%202019,mandatory%20death%20sentence%20was%20unconstitutional.](https://constitutionnet.org/news/barbados-parliament-passes-constitutional-amendment-eliminating-mandatory-death-penalty#:~:text=The%20Constitution%20(Amendment)%20Bill%202019,mandatory%20death%20sentence%20was%20unconstitutional.)

²⁰ OFFENSES AGAINST THE PERSON (AMENDMENT) ACT, 2018.

²¹ OFFENSES AGAINST THE PERSON (AMENDMENT) ACT, 2018, Section 2.2.

²² OFFENSES AGAINST THE PERSON (AMENDMENT) ACT, 2018, Section 2.2(i).

violence²³ and manipulative or coercive relationships with male co-defendants.²⁴ Cornell's data indicate that women who are under sentence of death for allegedly committing murder have overwhelmingly experienced prolonged domestic violence at the hands of a partner, spouse, or another family member.²⁵ Many women under sentence of death are survivors of gender-based violence and come from disadvantaged socio-economic backgrounds.²⁶ At a global level, sentencing courts typically fail to take into account a defendant's experience as a survivor of gender-based violence or a victim of a manipulative or coercive relationship (for example, in cases where women are pressured or tricked into transporting drugs) as mitigating factors during sentencing.²⁷ Research also indicates that courts fail to account for power dynamics and tactics of coercive control that may affect a woman's involvement in and culpability for a crime.

15. The 2018 Amendment to the Offenses Against the Person Act also provides a 5-year window beginning from the date of sentencing during which authorities must carry out the execution.²⁸ If authorities fail to do so within 5 years, the law requires a court to issue an order commuting the death sentence to a sentence of imprisonment.²⁹
16. At the end of 2023, four people were on death row.³⁰ It is not clear whether Barbados has implemented the resentencing guidelines under the Amended Offenses Against the Person Act. Authorities granted four people on death row resentencing hearings in 2022 and 2023: In June 2022, the Court of Appeal vacated Jamar Dwayne Bynoe's death sentence, while upholding his conviction.³¹ Bynoe had been sentenced to death in 2010 for his involvement in the murder

²³ Cornell Center on the Death Penalty Worldwide, *Judged for More Than Her Crime: A Global Overview of Women Facing the Death Penalty* (Sept. 4, 2018). Available online at <https://www.deathpenaltyworldwide.org/wp-content/uploads/2019/12/Judged-More-Than-Her-Crime.pdf>.

²⁴ Cornell Center on the Death Penalty Worldwide, *"No One Believed Me": A Global Overview of Women Facing the Death Penalty for Drug Offenses* (Sept. 6, 2021), 6. Available online at <https://deathpenaltyworldwide.org/wp-content/uploads/2021/10/No-One-Believed-Me-A-Global-Overview-of-Women-Facing-the-Death-Penalty-for-Drug-Offenses.pdf>.

²⁵ Cornell Center on the Death Penalty Worldwide, *"No One Believed Me": A Global Overview of Women Facing the Death Penalty for Drug Offenses* (Sept. 6, 2021), 11. Available online at <https://deathpenaltyworldwide.org/wp-content/uploads/2021/10/No-One-Believed-Me-A-Global-Overview-of-Women-Facing-the-Death-Penalty-for-Drug-Offenses.pdf>; Cornell Center on the Death Penalty Worldwide, *Judged for More Than Her Crime: A Global Overview of Women Facing the Death Penalty* (Sept. 4, 2018), 4. Available online at <https://www.deathpenaltyworldwide.org/wp-content/uploads/2019/12/Judged-More-Than-Her-Crime.pdf>.

²⁶ Cornell Center on the Death Penalty Worldwide, *Judged for More Than Her Crime: A Global Overview of Women Facing the Death Penalty* (Sept. 4, 2018), 4. Available online at <https://www.deathpenaltyworldwide.org/wp-content/uploads/2019/12/Judged-More-Than-Her-Crime.pdf>.

²⁷ Cornell Center on the Death Penalty Worldwide, *"No One Believed Me": A Global Overview of Women Facing the Death Penalty for Drug Offenses* (Sept. 6, 2021). Available online at <https://deathpenaltyworldwide.org/wp-content/uploads/2021/10/No-One-Believed-Me-A-Global-Overview-of-Women-Facing-the-Death-Penalty-for-Drug-Offenses.pdf>.

²⁸ OFFENSES AGAINST THE PERSON (AMENDMENT) ACT, 2018, Section 3.

²⁹ OFFENSES AGAINST THE PERSON (AMENDMENT) ACT, 2018, Section 3.

³⁰ Amnesty International, *Death Sentences and Executions 2023*, ACT 50/7952/2024, (May 2024). Also available at <https://www.amnesty.org/en/documents/act50/7952/2024/en/>.

³¹ Santana Salmon, *Barbados Appeal Court Vacates Death Sentence on Man Convicted for Fire at a Store that Killed Six Women*, Caribbean National Weekly, June 8, 2022, <https://www.caribbeannationalweekly.com/news/caribbean-news/barbados-appeal-court-vacates-death-sentence-on-man-convicted-for-fire-at-a-store-that-killed-six-women/>.

of six women.³² A court also resentenced Clyde Anderson Gralette, who had been on death row for murder since 2006,³³ but Gralette’s new sentence is unclear.³⁴ On June 29, 2022, the CCJ affirmed Carlton Junior Hall’s murder conviction and Hall is now serving a 30-year sentence; the CCJ cited mitigating factors in determining his new sentence.³⁵ On June 6, 2023, a court held a resentencing hearing for Dwayne Omar Severin, who had been on death row since 2009, but his new sentence is unclear.³⁶

17. Despite the Barbados Government’s apparent commitment to retaining the death penalty and purported reliance on public opinion to justify its refusal to move toward abolition, civil society organizations like Humanists Barbados have taken the floor at the Human Rights Council to express support for abolition.³⁷ And while a recent public opinion poll still seems to suggest broad support for the death penalty, the level of support is “significantly less” than it was in a similar survey conducted in 2008, and a substantial majority of Barbadians support rehabilitation as a potential alternative to punishment.³⁸
18. A recent spike in gun violence has sparked a call to resume executions.³⁹ Attorney General Dale Marshall stated that the increase in gun violence “is not an indication that Barbados has descended into a state of chaos or outright lawlessness. We have dealt with spikes in crime before and effectively so.”⁴⁰ Several attorneys have spoken against a resumption in executions, arguing that the poorest people who do not have access to adequate counsel will be the ones authorities will execute.⁴¹ One attorney acknowledged that “the court system will not always get it right.”⁴² Nonetheless, calls for the resumption of executions is concerning, particularly

³² Santana Salmon, *Barbados Appeal Court Vacates Death Sentence on Man Convicted for Fire at a Store that Killed Six Women*, Caribbean National Weekly, June 8, 2022, <https://www.caribbeannationalweekly.com/news/caribbean-news/barbados-appeal-court-vacates-death-sentence-on-man-convicted-for-fire-at-a-store-that-killed-six-women/>.

³³ *Court to Impose Fresh Prison Terms to Replace Mandatory Death Sentence for Two*, Barbados Today, January 1, 2022, <https://barbadostoday.bb/2022/01/21/court-to-impose-fresh-prison-terms-to-replace-mandatory-death-sentence-for-two/amp/>.

³⁴ *Court to Impose Fresh Prison Terms to Replace Mandatory Death Sentence for Two*, Barbados Today, January 1, 2022, <https://barbadostoday.bb/2022/01/21/court-to-impose-fresh-prison-terms-to-replace-mandatory-death-sentence-for-two/amp/>.

³⁵ Fernella Wedderburn, *Hall to Spend Shy of 20 Years More in Prison for 2011 Murder*, Barbados Today, June 19, 2022, <https://barbadostoday.bb/2022/06/29/hall-to-spend-shy-of-20-years-more-in-prison-for-2011-murder/>

³⁶ Stefon Jordan, *Lawyer Says Murder Convict Should Get Reduced Time in Resentencing*, Barbados Today, March 6, 2023, <https://barbadostoday.bb/2023/06/03/lawyer-says-murder-convict-should-get-reduced-time-in-resentencing/>

³⁷ *At UN, Humanists Urge Barbados to Outlaw Death Penalty and Corporal Punishment, and Improve situation for LGBTI+ Persons and Women*, Humanists International, October 10, 2023, <https://humanists.international/2023/10/at-un-humanists-urge-barbados-to-outlaw-death-penalty-and-corporal-punishment-and-improve-situation-for-lgbti-persons-and-women/>.

³⁸ Marlon Madden, *Survey Finds Barbadians Prefer Rehab for Criminals Over Just Punishment*, Barbados Today, Nov. 17, 2022, <https://barbadostoday.bb/2022/11/17/survey-finds-barbadians-prefer-rehab-for-criminals-over-just-punishment/>.

³⁹ Bert Wilkinson, *Spike in Gun Crime Irks Barbados*, Caribbean Life, September 9, 2022, <https://www.caribbeanlife.com/spike-in-gun-crime-irks-barbados/>.

⁴⁰ Bert Wilkinson, *Spike in Gun Crime Irks Barbados*, Caribbean Life, September 9, 2022, <https://www.caribbeanlife.com/spike-in-gun-crime-irks-barbados/>.

⁴¹ *No to Hangings*, Barbados Today, September 8, 2022, <https://barbadostoday.bb/2022/09/08/no-to-hangings/>.

⁴² *No to Hangings*, Barbados Today, September 8, 2022, <https://barbadostoday.bb/2022/09/08/no-to-hangings/>.

because authorities in several countries in the region have used public opinion as a pretext to justify retaining the death penalty.⁴³

II. Barbados’ post-conviction procedures violate international norms (2007 Concluding Observations Paragraph 7) and lengthy pre-trial detentions undermine confidence in convictions.

19. In 2007, the Committee pointed out that while “no specific time limits have been set so far, it is concerned that the Constitutional (Amendment) Act 2002 permits limitation of the length of time granted to condemned prisoners, including those sentenced to death, to appeal to, or to consult external bodies, including international human rights bodies such as the Human Rights Committee.”⁴⁴
20. The Committee recommended that Barbados “guarantee the effective right to a remedy, in particular for all persons sentenced to death. It should ensure that interim measures of protection issued by the Human Rights Committee in cases brought by individuals under sentence of death are respected in all circumstances.”⁴⁵
21. The Constitutional (Amendment) Act 2002 remains in place, including a provision that allows time limits to be enforced against persons who have pending appeals or external consultations that have not been concluded.⁴⁶
22. Moreover, individuals accused of crimes face lengthy pre-trial detention. As of 2021, delays of five to seven years before cases go to trial are common, and in some cases people have waited up to ten years before trial.⁴⁷ The Chief Justice has confirmed that prolonged pre-trial detention is not consistent with the Constitution and has announced that he will require the Superintendent of Prisons to submit a quarterly report detailing all persons held in pre-trial detention.⁴⁸ Lengthy pre-trial detention can undermine fair trial rights under Article 9.⁴⁹

⁴³ The Death Penalty Project, *Sentenced to Death Without Execution: Why Capital Punishment Has Not Yet Been Abolished in the Eastern Caribbean and Barbados*, by Roger Hood and Florence Seemungal, (Oxford: December 2019), 27. Available online at https://dppproject.wpengine.com/wp-content/uploads/2020/04/2809872v1_WSDOCS_-Sentencing-to-Death-Without-Execution-2020.pdf.

⁴⁴ Human Rights Committee, *Consideration of Reports Submitted by States Parties Under Article 40 of the Covenant* (May 11, 2007) U.N. Doc. CCPR/C/BRB/CO/3, ¶ 7.

⁴⁵ Human Rights Committee, *Consideration of Reports Submitted by States Parties Under Article 40 of the Covenant* (May 11, 2007) U.N. Doc. CCPR/C/BRB/CO/3, ¶ 7.

⁴⁶ CONSTITUTIONAL (AMENDMENT) ACT, 2002, Section 4.6.

⁴⁷ United States Department of State, *Barbados 2022 Human Rights Report*, (2023), 3, Available online at https://www.state.gov/wp-content/uploads/2023/02/415610_BARBADOS-2022-HUMAN-RIGHTS-REPORT.pdf.

⁴⁸ On file with The Advocates for Human Rights.

⁴⁹ See Council of Europe Parliamentary Assembly, Resolution 2077, *Abuse of pretrial detention in States Parties to the European Convention on Human Rights*, ¶ 2.1.3 (Oct. 1, 2015), available at <https://assembly.coe.int/nw/xml/XRef/Xref-XML2HTML-en.asp?fileid=22206&lang=en>.

III. Suggested questions for the Government of Barbados

23. The coauthors suggest that the Committee pose the following questions to the Government of Barbados:

- What steps is the government taking toward instituting a *de jure* moratorium on executions, abolishing the death penalty, and acceding to the Second Optional Protocol to the Covenant?
- Please provide data about all persons sentenced to death during the reporting period, disaggregated by gender/sex, nationality, occupation prior to arrest, date of arrest, crime of conviction, relationship to any codefendants or victims, date of conviction, date of any resentencing procedures, and current sentence.
- Have authorities fully implemented the resentencing provisions of the Amended Offenses Against the Person Act for all persons under sentence of death? What measures have authorities taken to ensure that all sentencing and appellate courts in capital cases consider relevant evidence in mitigation?
- Provide an update on the resentencing proceedings and outcomes for Jamar Dwayne Bynoe, Clyde Anderson Grazette, and Dwayne Omar Severin, all of whom had previously been under sentence of death.
- What steps is the government taking to collaborate with civil society on the creation of a comprehensive public awareness-raising campaign to educate the public about international human rights standards as they pertain to the death penalty and about alternatives to the death penalty?
- Please describe the legal services provided to indigent persons accused of a capital crime, including access to counsel, whether such access is available at all stages of the proceedings, whether the state provides funding for the defense to conduct an adequate investigation of the facts and to present expert evidence in mitigation.
- To what extent do law enforcement, prosecutors, and defense counsel in capital cases receive training on criminal procedure, including post-conviction processes?
- What training is provided to criminal defense attorneys handling capital cases to prepare for sentencing and resentencing hearings when they have the opportunity to present mitigating evidence and to challenge evidence that prosecutors present in support of a death sentence?
- What concrete standards and guidelines do courts use when determining whether to sentence someone to death based on “exceptional circumstances”?
- What mitigating factors do courts currently consider when determining whether a person should be sentenced to death?
- Please indicate whether and how courts can and do take into account gendered vulnerabilities, such as trauma, gender-based violence against women, coercive control, and dependency as mitigating factors in cases of women charged with capital crimes. What steps, if any, has the State Party taken to codify such gender-specific defenses and mitigation?

- Under what circumstances may a woman who has experienced prolonged domestic violence successfully plead self-defense for killing her abuser? Which legal standards apply in such cases?
- What training does the Government provide to defense counsel who take on capital cases regarding gender-specific mitigation and how to raise discrimination against clients based on their gender, when appropriate?
- What measures has the Government implemented to ensure that all judicial officers responsible for sentencing in capital cases receive comprehensive training on gender-based discrimination, domestic violence, and tactics of coercive control that may influence or prompt a woman to commit a death-eligible offense?
- What training, if any, have law enforcement and people working in detention facilities received on the rights of people in detention to challenge the legal basis of their detention and what procedures, if any, have been instituted to ensure that people in detention do not face unnecessary obstacles in attempting to exercise these rights?
- Please describe the procedures by which courts implement the provision in the 2018 Amendment to the Offenses Against the Person Act prohibiting a person from being under sentence of death for more than five years and describe any cases in which courts have followed these procedures.
- What provisions are in place to ensure compliance with Article 6(4) so that any person under sentence of death may seek pardon or commutation of sentence, and to ensure resolution of any such requests as well as any appellate or review other proceedings prior to execution, including proceedings before the Human Rights Committee?
- What vocational training and other educational opportunities do prison authorities provide to people in detention, and do people under sentence of death have equal access to such services?
- What has the State done to provide enhanced funding and human resources to Barbados Community Legal Services to ensure that defendants who have limited financial means to defend themselves are afforded complete and effective legal assistance?
- Are there plans to increase funding to ensure detention conditions are consistent with the Nelson Mandela Rules and if so, which Rules are prioritized?
- Do post-release support programs include assistance for people exonerated from death row?