

NORTH AMERICA AND THE CARIBBEAN

Countries of engagement

Antigua and Barbuda, Bahamas, Barbados, Canada, Dominica, Grenada, Guyana, Haiti, Jamaica, St Kitts and Nevis, Saint Lucia, St Vincent and Grenada, Suriname, Trinidad and Tobago and the United States of America with field presences in Haiti and Jamaica.

Engagement with the human rights mechanisms

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Countries in North America have strong instruments for the protection of human rights: their respective constitutions afford important human rights protections and they have solid institutions and judicial systems to which individuals have recourse in cases of violations of their rights.

Canada underwent its second Universal Periodic Review (UPR) in April 2013. Out of the 162 recommendations it received, it accepted 122 on issues such as aboriginal peoples, racism, discrimination and xenophobia, violence against women and children, disabilities, refugees, trafficking and cooperation with international mechanisms. Recommendations were rejected on the basis that they called for specific actions that were not under consideration at the time of the review, in particular several recommendations regarding the ratification of international human rights instruments.

During the UPR of the United States in November 2010, the country received 228 recommendations. Out of these, it accepted or partially accepted 163 and rejected 45 recommendations related to ratification of treaties and withdrawal of reservations; the establishment of a national human rights institution (NHRI); an invitation to special procedures to Guantanamo and other United States-controlled overseas detention sites; a moratorium on the death penalty; and support and implementation of the United Nations Declaration on the Rights of Indigenous Peoples.

All English-speaking Caribbean countries share similar histories, similar political and legal systems, as well as similar economic and social realities, including multi-ethnic, migrant and mobile populations. Suriname, although Dutch-Speaking, also shares many characteristics with its neighbouring countries, including its membership in the Caribbean Community and Common Market

(CARICOM.). Today, almost all Caribbean countries share the reality of uneven economic development and are affected by issues characteristic of small island states: energy insecurity; waste management; the severe impacts of natural disasters and climate change and the global financial turmoil.

Because of these common characteristics, similar human rights issues are found across the region. Lack of awareness of human rights is common throughout the region. The use of the death penalty and corporal punishment is a concern. Small indigenous populations in some countries have been subjected to discrimination, as have migrants.

In addition, over the last decade, most Caribbean territories have experienced high rates of violent crime due to the activities of criminal gangs and increased trafficking in narcotics and small arms. Violence against women and children is rife. Problems in the administration of justice, including juvenile justice, police brutality and unsatisfactory prison conditions are present in all countries. Discrimination on the grounds of race, colour, national or ethnic origin, sex, descent, sexual orientation and gender identity is also of great concern. Moreover, there are concerns about trafficking in persons and freedom of the press.

National protection systems are overall insufficient or inadequate, with weak national human rights institutions and civil society with differing levels of organization throughout the Caribbean subregion.

Thematic priorities

- ▶ Strengthening the effectiveness of international human rights mechanisms with a focus on: ratification; submissions of reports by States, civil society actors, the NHRI and United Nations entities to treaty bodies, special procedures and the UPR; special procedures visits; and the establishment of national participatory bodies for reporting and implementing recommendations of human rights mechanisms.
- ▶ Integrating human rights in development and the economic sphere with a focus on: the integration of recommendations from human rights mechanisms and a human rights-based approach in United Nations work.
- ▶ Enhancing equality and countering discrimination with a focus on: legislation and policies on non-discrimination and equality.

- ▶ Widening the democratic space with a focus on: national human rights institutions.
- ▶ Combating impunity and strengthening accountability and the rule of law with a focus on: death penalty and counter-terrorism.
- ▶ Early warning and protection of human rights in situations of conflict, violence and insecurity with a focus on: sexual and gender-based violence and trafficking.

OHCHR expected contribution

ALL HUMAN RIGHTS FOR ALL IN NORTH AMERICA AND THE CARIBBEAN	
RIGHTS-HOLDERS	DUTY-BEARERS
	<p>[EA1] ▶ At least three countries still applying the death penalty have increased compliance with international human rights norms and standards.</p> <p>▶ At least three laws or policies to combat gender-based violence, trafficking and/or corporal punishment have been amended to comply with international human rights standards.</p> <p>▶ National human rights institutions in Bahamas and Barbados have improved compliance with the Paris Principles.</p>
	<p>[EA2] ▶ At least three countries have ratified at least one additional international human rights treaty.</p>
	<p>[EA4] ▶ At least two countries have legislation and policies to combat discrimination which are compliant with international human rights standards.</p>
<p>[EA7] ▶ Increased number of submissions from United Nations Country Teams, NHRIs, civil society organizations and other stakeholders to international human rights mechanisms.</p>	<p>[EA6] ▶ Fully functioning participatory standing national coordinating bodies on reporting/replying to individual communications and enquiries; and integrated follow-up to recommendations of all human rights mechanisms are in place at least in two countries (Bahamas and Barbados).</p> <p>▶ Across the region, UPR reports are submitted according to schedule and their treaty body reporting record is improved.</p> <p>▶ Countries in the Caribbean improve their engagement with special procedures mandate-holders by positively responding to their visits or responding to communications.</p>
	<p>[EA11] ▶ UN common country programming has satisfactorily integrated international human rights standards and principles, as well as the recommendations of the human rights mechanisms, in at least two countries.</p>

By 2017, OHCHR expects to have contributed to the achievement of the results outlined on the table above, in support of national efforts in the different thematic priority areas (colour scheme). OHCHR will pursue these behavioural, institutional and legislative changes in cooperation with relevant partners, using the different strategic tools at its disposal – monitoring and reporting, capacity-building and advisory services, advocacy and awareness-raising (see chapter one) – on the basis of an assessment of the specific context. It is expected that if achieved, these results will contribute to improving the duty-bearers' compliance with their international human rights obligations and to the rights-holders' ability to claim their rights and thereby to the enjoyment of all rights for all in the region.