

## STATEMENT

UPR -Pre-sessions on The Bahamas

Geneva Thursday 6<sup>th</sup>, April 2023

Delivered By: Alexis DMarco- Human Rights Defender of the Commonwealth of The Bahamas

UCTRANS – United Caribbean Trans Persons Network

And

The Bahamas Organization of LGBTI Affairs

### Presentation of the Organization

This statement is delivered with collaborations and consultations with The United Caribbean Trans Network and The Bahamas Organization of LGBTIQA Affairs, two non-government organizations in the Bahamas that seeks to uphold the people's right to a safe, balanced and healthy environment.

Consultations were conducted by both organizations and with its partners, networks and members in the development of this statement and participated in the consultations.

This statement addresses the following issues **(1) climate change (2) LGBTI Issues**

### ISSUE 1: CLIMATE CHANGE

Up until now the Bahamas has only received three recommendations on climate change.

There is a lot of work that still needs to be done.

The Bahamas has moved forward in the fight to tackle climate change I call upon the Bahamas government to strengthen the Bahamas resilience in the growing threat of climate change. We have been forecasted to be impacted in a rise of sea levels due to global warming. Persons have been displaced and the cycle of displacement will continue if we don't act now.

The global climate, has change and the effects are now being felt in The Bahamas, things are no longer the same. Shifts in the climate will definitely impact our tourism industry. As we know tourism is our bread and butter, therefore if our tourism is impacted by climate change our employment level decreases many of our citizen will become unemployed.

The state of coral is being affected which is our first natural line of defense. In our family island a lot our people depend on fishing as their lively hood, if we don't protect and have a healthy coral reef ecosystem, they will lose their livelihood. This will impact our natural resources to food security. Self-employment as a fishermen is already being impacted.

We have been seeing the intensity of hurricanes in the country. Hurricane destroys our homes, and the cycle of displacement continues. Mitigations and Adaptation are critical. We must protect our sea walls, retrofit our buildings with renewal able energy. We must continue to pursue steps and take actions made with the aim of addressing the effects of climate change in the country, region, and at the international level, as this poses a threat to our economic viability, social development , and our territorial integrity. We must act now!

**Recommendation**

We recommended for the Bahamas government to:

- 1) continue to support the work of our managed national marine and land parks system.
- 2) To strengthen collaboration with NGOs and stakeholders and greater public education on Climate Change through joint projects and consultations.
- 3) Conduct awareness raising campaigns related to climate change to educate and sensitize the population.
- 4) allocate more funding for person affected by hurricanes in order to rebuild their homes.
- 5) allocate funds for renewable energy
- 6) continue seeking technical and financial support that the Bahamas needs to meet the climate change crisis.

## **Issues 2**

### **LGBTIQA Citizens and Residents of The Commonwealth Of The Bahamas.**

During the last cycles The Bahamas received 18 recommendations related to Sexual Orientation and Gender Identity. 17 out of the 18 recommendations have been noted. Over the past decade the visibility of the Bahamas LGBT community has increased. The Constitution of the Commonwealth of the Bahamas guarantees freedom of expression and opinion and human rights defenders in the Bahamas are afforded full respect and allowed to actively defend such rights without any restriction or hindrance by the Government. This includes LGBTIQ BAHAMAS.

The LGBTI citizens of Bahamas are thankful for the 'buggery law' being expunged in 1991. The social attitudes towards LGBT Bahamas are shifting however there is more work to be done that requires political will. During the last UPR review, The Bahamas stated no formal reports are lodged of discrimination on the basis of sexual orientation or gender identity with state agencies no such cases were before the judiciary. This statement is true due to the lack of sensitization on of and to state agencies and state official.

We have anecdotal information that points to the difficulty of living in The Bahamas and accessing services, state agencies and resources as a member of the LGBT community.

**Discrimination against LGBTI people is prevalent and rising especially for trans person due to inadequate ant discrimination protections.**

**Employers discriminate and are unwilling to employ a trans person**

**Many trans citizens refrain from seeking medical treatment due to fear of mistreatment**

**LGBTIQ citizens refrain from making police reports of physical violence, intimate partner violence, emotional violence, and gender base violence due to fear of verbal abuse and mistreatment by police officers, because who they love or who chooses to love them.**

**LGBTIQ citizens often face barriers to housing because of their perceived or known gender identity.**

**The climate crisis has disproportionately affected our vulnerable communities inclusive of our lgbtiq citizen**

**All of these issues bring us to the increase numbers of our LGBTIQ citizens leaving the country.**

We thank the government for their leadership in recognizing the contribution and representation of the lesbian, gay, bisexual, transgender and Intersex (LGBTI) community in the Bahamas. We, however, note that there is a lack of awareness sensitization, and political will on the part of the authorities to effectively implement these commitments.

As we know, the national discussion has begun on trans citizens.

Trans citizens are under attack locally, regionally and internationally. It was stated, at The Bahamas last UPR session **“that persons in The Bahamas who are in the process of gender reassignment are currently provided with psychological assistance from the Ministry of Health. And Consideration might be given to other forms of assistance, however, as this issue remains highly controversial in popular discourse.”**

The government recommends a **“cautious and modulated approach be adopted.”**

In many cases, trans people leave, unable to navigate in The Bahamas and the region. Trans people do not have access to medication and hormonal treatments, no legal gender identity recognition, a lack of access to decent work, they experience high levels of physical, emotional and verbal abuses at the hands of policy makers, state agencies and the general public.

The state tends to reference quickly its sovereignty, Christian values and the foundation of the family as an excuse to discriminate against LGBTI citizens. However, in the same spirit, the state holds on to the colonial laws, that does not seek to reflect the true values of its current citizens and destroys the family in the process. Reference to Christian values does not excuse the government from acknowledging and protecting the human rights of all people.

## **Recommendation**

We therefore recommend to

- Implement Anti-Discrimination Policies to protect all regardless of their perceived or known sexual orientation or gender identity.
- Conduct awareness raising campaigns to law enforcement agencies, social services, security agencies, health care providers, and the general public on the rights of LGBTI citizens, emphasizing that their rights are the same as all citizens.
- Develop and implement legal measures, public policies and social awareness campaigns to eliminate violence, hate speech and discrimination based on sexual orientations and gender identity.
- Guarantee in law and in practice that LGBTI citizens have access to justice, education, health care, employment, housing without discrimination.
- Prohibit discrimination in the law on the basis of sexual orientation and gender identity.

Calling for greater collaborations with our government.

It is important for the government to consult with members of the community, and work along with us to educate and sensitize the public, and ensure that The Bahamas meets international human rights standards and show the true meaning of “No One Left Behind.”

**Information and contact**

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