





## **CHARTER OF BARBADOS 2021**

**WE, THE PEOPLE OF BARBADOS**, in this 55th year of our constitutional independence, reaffirming our commitment to the fundamental rights and freedoms won by those who came before us, vow to safeguard these achievements for all Barbadians and make the solemn pledge in this Charter of Barbados:

### **PREAMBLE**

**UNDERSCORING** the sanctity of the pledges we make to one another to ensure a peaceful, just and equitable Barbados whose wellbeing is grounded in the enfranchisement of all citizens;

**RECOGNISING** that we are entering into a new chapter of our Independence, having taken the decisive step of choosing a Barbadian as our Head of State and intent on crafting our own Barbadian Constitution;

**UNRELENTING** in our support for a democracy in which the sovereign power resides in the people in whose name and for whose benefit the powers of Government are to be exercised;

**RECOGNISING** this land, its surrounding waters and its peoples as the uniquely unifying elements that nurture the soul of our Bajan society;

**CELEBRATING** with gratitude the indigenous inhabitants of this island, then known as Ichirouganaim, and vowing to honour their memories and preserve the material evidence of their civilisation in our possession;

**RECALLING** the different journeys and diverse motives of our ancestors, some arriving to this land in search of new frontiers and exploits; most by compulsion and against their will, the vast majority of whom were uprooted from Africa, and having survived the horrors of the Middle Passage were condemned to toil under mass enslavement, one of the greatest crimes against humanity;

**EMBRACING** our diversity while acknowledging we are one people bound by love, respect and a duty of care for one another and our kinship as Barbadians.

UNDERSCORING the fact that we are all equal by virtue of our humanity, in the eyes of the Creator and according to the laws of this land, regardless of our ancestry;

CONSCIOUS that the work of dismantling past and present inequities, and the building and sustaining of strong communities in their place requires us to confront legislatively, morally and sensibly, the problems and difficulties faced by our most vulnerable citizens through our daily choices and actions;

APPRECIATING the legacy of all those numerous Barbadians whose actions distinguished them as true patriots and whose lives of achievement and service enrich our history and continue as examples for us to follow;

CHERISHING the foresight of the Fathers of our Democracy and Independence, in securing our right to vote, so that we may claim our destiny as an independent nation that affirms the principle that we shall be “friends of all and satellites of none”;

CONVINCED of the critical role the further integration and unity of our Caribbean community must play in fostering closer ties within our hemisphere and peace and friendship with all the peoples of the world;

TAKING INTO ACCOUNT the growing interdependence of the global community, and the international collaboration necessary for solving our greatest challenges;

And REAFFIRMING our solidarity in the vision of a truly free, independent, fair and just Barbados for all;

RESOLVE to adopt the following:

## THE CHARTER OF BARBADOS

### Article I

**All Barbadians are born free and are equal in human dignity and rights regardless of age, race, ethnicity, faith, class, cultural and educational background, ability, sex, gender or sexual orientation.**

## HUMAN RIGHTS

We must always remember the courageous and long struggle of the indigenous peoples of our region and of our enslaved African ancestors who fought against the oppressive and inhumane institution of slavery in which this country was settled. We are grateful for the legacy, bequeathed to us, of their cultural, artistic, entrepreneurial, and scientific achievements carved out of the bleak wasteland that was colonisation and slavery.

Our people have survived the trauma of enslavement and many withstood extreme brutality so we will never forget that freedom and equality are the most fundamental features of our national identity. We therefore reject, in our community, all forms of oppression, intolerance, discrimination and abuse, whether economic, mental, verbal or physical and we commit to healing this nation and its people from the shame, pain and injustice of slavery on which it was founded;

## TOWARDS A JUST SOCIETY

We commemorate the courage and sacrifice of all those who, through the centuries, fought for freedom and justice, especially those who took part in the rebellions of 1675 and 1816 which were instrumental to the emancipation of the enslaved in 1834; and those of 1876 and 1937.

We recognise the contribution of those who came to our shores as indentured servants from Britain and Ireland and all those who followed later under other circumstances from Asia, Europe and other parts of the world.

We commit to working in good faith to heal the wounds inflicted on our people through centuries of enslavement, racism and oppression, in order to reconcile the fractures such inhumanity produced, and to seek reparatory justice and the economic enfranchisement of the systemically oppressed.

We reflect the intent and spirit to define our national identity and to guide our conduct towards the realization of our social vision. This vision entails the creation of a truly just and fair society in which all citizens can find personal and collective satisfaction through empowerment, in order to develop their individual talents to the fullest benefit of our nation.

## DIVERSITY

We acknowledge the multi-faith heritage of our society, and we appreciate the value added to our religious and spiritual culture by the diversity of all faith communities and spiritual entities, and their continuing capacity to have a strong and lasting influence on the quality of life in Barbados.

We value the cultural diversity brought to our shores by those people who were uprooted or those who arrived from near and distant lands for religious, economic and other varying reasons. Together we stand proudly as an integral part of the Caribbean civilisation that has given vibrancy to our own national identity.

We recognise the many ways in which languages and cultures were used historically as tools to separate the peoples of the Caribbean. We commit to strengthening our connections throughout our region and the wider world through learning and embracing the many languages represented. We acknowledge that language cannot be separated from the values of respect, tolerance and cooperation, and are germane to the national vision of nurturing global citizens with Barbadian roots.

## Article II

**Everyone in Barbados has a duty to care for each other and to ensure that our relationships are at all times characterized by courtesy, civility and mutual respect. We remain conscious that every generation is indebted to those generations that preceded it and is morally obligated to the one that follows.**

## RESPECT

We commit to resolve our conflicts in the spirit of tolerance, respect and acceptance of the diversity found amongst persons and within institutions.

We pledge to forge a more humane and inclusive society based on the principles of love and respect for our fellow man and understanding that our differences contribute to making us who we are.

We affirm that our single greatest responsibility of one to another is to safeguard and protect the dignity of our common humanity - to be the true keeper of our brothers and sisters, especially the elderly, youth, differently abled, the incapacitated and other vulnerable people in our society.

We shall seek to strengthen ties between Barbadians of all ages in order to enshrine the dignity of and respect for one another. Understanding who children are and the critical role they have in our present and future, we shall prioritise, protect, guide, nurture, heal and love all our children, confident that raising them with such care would provide them with an example of how to raise their own children, and in effect create the foundation for emotionally stable and responsible citizens and residents. We uphold family as a key institution through which our present and future generations are and shall be nurtured.

### EQUITABLE DEVELOPMENT

Our progress shall be defined by our duty of care to one another which recognises economic enfranchisement, access to food and nutritional security, affordable and efficient public transport, water, sanitation, universal quality education, quality healthcare, affordable housing and the provision of social protections aimed at eradicating poverty and providing for the most vulnerable people within our society. This is integral to ensuring an acceptable standard of living, an enhanced quality of life and affording full participation to all citizens in the overall development of our country. We are each other's keeper.

We pledge to ensure that our successive elected governments remain mindful that the Barbadian definition of growth and progress must always be people centred. We therefore commit to eliminating poverty through policies of social inclusion, equality of economic opportunity, ensuring access to essential services and the provision of social protection for the most vulnerable in our society.

We commit as individual Barbadians, to the giving of time, energy and resources to our communities and national organisations so that they may increase their influence as positive change agents in the society.

We pledge to make the best use of opportunities for our further education, both formal and informal. We shall encourage industry, a spirit of innovation, entrepreneurial endeavour, sporting excellence, artistic creativity, media literacy, critical thinking, responsible use of technology, pluri-lingualism and

the development of a culture of lifelong learning within our society. We commit to taking pride in all that we do.

We commit to building a progressive and cohesive society through the empowerment and full engagement of our youth and communities in the pursuit of personal excellence and the social and economic development of Barbados.

We acknowledge the critical role that Barbadians by birth, by descent, by marriage and by choice have played in our national development and we recognise the invaluable contribution of the Barbadian Diaspora. We reflect, with pride, on the past and present accomplishments of all Barbadians, wherever they may be, who remain rooted in our Bajan values and traditions, and who give life to the character of who we are as a people. We commit to facilitating the continued development and accomplishments of our people.

## SOCIAL PARTNERSHIP

We acknowledge the invaluable contribution of the Social Partnership of workers, employers and government, and of the Social Justice Committee to the stability and good governance of Barbados. We shall strengthen and expand this form of social consensus as an instrument of policy to protect the interests of workers, investors and consumers while improving the competitiveness of the economy as part of our national development.

We urge that relations within the workplace be based on fairness, mutual respect and dignity so as to enhance the goals of the organisation and the wellbeing of its constituents. Workers and the trades unions are indispensable partners in our economic prosperity. Equally so are those who take the risks to invest in the production of goods and services.

We pledge in our employment relationships to strive at all times to create an environment of decent work, to follow established industrial relations best practices, to maintain service excellence, to ensure quality of production and in general to work together with pride to increase the productivity and efficiency of the enterprises with which we are associated.

We commit to working towards a more efficient and more transparent public sector that places our citizens, residents and visitors at the centre of service delivery, which meets their expectations and facilitates the equitable growth and development of our country.



### Article III

**Every Barbadian has the right and a duty to participate in the economic, political and social life of Barbados as an expression of active citizenship. Every Barbadian has the right to vote and seek public office in accordance with the Laws of this country.**

### DEMOCRACY

We acknowledge the establishment of a Barbados Parliament in 1639 and the Charter of Barbados made at Oistins in 1652.

We affirm the fact that a Parliament has met without interruption since 1639. With its changing composition over the years, it has been a tool of oppression against the masses and later an institution of empowerment and enfranchisement. Parliament enacted legislation to end slavery, to give us the right to vote, to protect the rights of workers, to undertake an aggressive reform of ownership of our tenancies, and to establish our political independence and republican status.

We celebrate the unique part played in our history by each of our National Heroes for the betterment of some aspect of the lives of Barbadians and for their contribution to our national development, through the expression of courage, sacrifice and the attainment of excellence.

We cherish the legacy of all those numerous Barbadians, heroes in their own right, whose actions distinguish them as true patriots and whose lives of achievement and service enrich our history and continue as examples for us to follow.

We champion in our nation and across the world democratic freedoms, human rights, the rule of law, and the peaceful resolution of all conflicts.

We affirm, principally by our own self-discipline and respect for the rule of law, support for our law enforcement agencies as they endeavour to rid our society of all crime, whether of violence, human trafficking, illegal drugs, financial crimes including bribery and other forms of corruption, lawlessness and abuse. We acknowledge our duty as individual Barbadians, to work with and support our law enforcement agencies.

We shall promote the right of access to information and the right to freedom of communication and expression, provided always that there is protection of a citizen's personal data and that social or other media shall be respectful of the rights and reputation of citizens.

We agree to adhere to the basic tenets on which the rights and liberties of a representative democracy are founded in order to ensure that there is a full understanding of the role and function of civil society and the values that bind us as a people. We commit to active citizenship by participating in aspects of national development.

#### Article IV

**Everyone has the right to live in a healthy and balanced environment and has a duty to participate in its preservation, conservation, enhancement and regeneration. We appreciate the defining importance of our land and sea to our identity and way of life, and therefore also pledge to protect the free and unrestricted access to all our beaches and public spaces, which is an inalienable right of every Barbadian.**

#### ENVIRONMENT, SUSTAINABLE DEVELOPMENT AND RESILIENCE

We acknowledge the climate crisis and our duty to be world leaders in the promotion of and agitation for global recognition of this clear and present danger to our lives and livelihood. We pledge to adopt innovative policies and programs to adapt and mitigate against our inherently vulnerable circumstances to build resilience and ensure our survival as a people and country.

Our public policies shall promote sustainable development through the protection and enhancement of the environment in all aspects of our economic and social progress.

We commit to be responsible stewards, to respect and protect our unique and vulnerable natural and built environment, ensuring that the actions taken to secure the needs of our present generations also safeguard the rights of future generations of Barbadians to meet their own needs.

As a Small Island State, we recognise the vulnerability of our economy and society to external factors. We therefore commit to expanding our support of locally produced goods and services for our local consumption and exportation. We realise that by establishing ourselves as both creators and consumers of high quality products and services, we will secure that level of national development which will benefit the entire society.

We acknowledge the historical trauma associated with our relationship to the land and sea. Hence, it is our responsibility to repair this relationship for current and future generations of Barbadians, and to ensure that it is defined through ownership, enfranchisement and access. We fully appreciate the importance of our land and sea to our livelihoods and quality of life, and we shall forever embrace the quintessential heritage of our island home.

We commit to the protection of our land, air and marine environment, in particular our gullies and coral reefs, through progressive public policies which support education, research and innovation, leading to their regeneration for the benefit of all.

We commit to expressing our Barbadian culture and heritage and our values with unbridled confidence, and we acknowledge that our authenticity as a caring, just, respectful and inclusive people is at the heart of our social, environmental and economic development.

#### Article V

Barbados is part of a global community and strong international relations with other states is vital to national development. As a Small Island State we must exist harmoniously with others and work collaboratively to preserve global public goods. We will honour our international obligations while championing the causes that are important to safeguarding the future prosperity and stability of Barbados and the Caribbean.

## ENGAGING THE WORLD

Historically Barbados has made significant contributions to global dialogue on matters pertaining to Small Island Developing States, rooting its foreign policy on the principles of dynamic, moral strategic leadership. We further commit to strengthening our international relations recognising that the challenges and solutions of sustainable development are the collective responsibility of our global village, and must be addressed through dynamic and ethical leadership, global action and collaboration among states.

## MULTILATERALISM

Barbados reaffirms its commitment to the principles and values enshrined in the Charter of the United Nations. We commit to multilateralism as a platform for advocacy to achieve the global public goods, and as a platform to build consensus on the major challenges confronting the global community.

## SOUTH-SOUTH COOPERATION

We commit to deeper cooperation among countries of the Global South recognising that we must move beyond our traditional North Atlantic diplomacy. We commit to creating mutually beneficial relationships with countries in the developing world to facilitate technical cooperation, market diversification through commercial diplomacy, and cultural and social exchanges.

## REGIONALISM

We reaffirm our support for regional integration through the Caribbean Community (CARICOM) recognising the critical importance of this institution to the advancement of our Caribbean civilisation.

## CONCLUSION

We, the people of this great nation Barbados, encouraged by the resilience and ingenuity of those who came before us, stand on the threshold of a bright future and we boldly embrace and solemnly affirm the aspirations contained in this Charter of Barbados.

May the hope it engenders permeate the length and breadth of this nation and distinguish it as a land of equal opportunity and enfranchisement, fairness and social justice, peace and security, and solidarity and cooperation.

May the commitment we now champion, progressively foster and nurture the 'Soul of our Nation' from generation to generation.

## APPENDIX I – REFERENCES

- i. 1979 Report of the Cox Review Commission
- ii. 1998 Report of the Forde Commission
- iii. Constitution of Barbados
- iv. 2004 Draft Constitution (Amendment) Bill
- v. 2021 Discussion Draft Constitution (Amendment) Bill
- vi. Human Rights and Constitution Making, 2018, United Nations, OHCHR
- vii. Concluding Observations – Barbados, Committee on the Elimination of Racial Discrimination (CERD) 2007
- viii. Summary Record 2005 CERD Barbados Session
- ix. Barbados State Party Report, 2004 to CERD
- x. Born Free and Equal: Sexual Orientation, Gender Identity and Sex Characteristics in International Human Rights Law, 2019, United Nations, OHCHR
- xi. The Congenital Eunuch: A Medical Halachic Study, 1995, Barth, J. and Zemer, M.
- xii. Constitution of the Cooperative Republic of Guyana
- xiii. Constitution of the Republic of Trinidad and Tobago
- xiv. Constitution of the Commonwealth of Dominica
- xv. Constitution of the Republic of South Africa
- xvi. Constitution and Environmental Charter of the French Republic
- xvii. Constitution and Charter of Canada
- xviii. Constitution of the Republic of India
- xix. Commonwealth Caribbean Law and Legal Systems, 2008, Belle Antoine, R.
- xx. Global Excellence: Barbadian Traditions. The National Strategic Plan of Barbados 2006-2025
- xxi. 1652 Charter of Oistins IN History of Barbados by Robert Schomburgh
- xxii. Report of the National Commission on Law and Order by Sir Roy Marshall: Chapter 2 -Constitutional Support for a Just Society
- xxiii. Public Submissions on the Proposed Charter of Barbados

## APPENDIX II – PUBLIC SUBMISSIONS

- xxiv. The Supremacy of God: The first is the complete removal of the most important sentence in our preamble to the Constitution. Namely, that we acknowledge the supremacy of God. Why have you taken that important sentence out of a document that may replace the preamble?
- xxv. Promotion of False gods: Barbados is not a theocracy. People can believe what they wish and be free to convince others of their beliefs without penalty or discrimination. But the standard of the majority should be set. If we become a majority of Muslims or Hindus, then they will set their standard and the minority Christians will likely be persecuted as is happening in almost every country where Christians are in the minority. Why are you facilitating foreseen persecution?
- xxvi. Equal Rights: You plan to assign equal rights based on age, gender and sexual orientation. Clearly a 5-year-old is not allowed to drive in Barbados. Therefore, they are not treated equally. So, it needs to be rethought.
- xxvii. This is a classic example of what happens when you try to recreate the wheel. The better approach would be to present the current preamble to the Constitution, and then let people suggest improvements for discussion, rather than trying to create something entirely new – as if the old had no value whatsoever and is irredeemable. That is a dangerously reckless approach to such an important matter.
- xxviii. On the gender and sexual orientation issues, we see what happened in the US, where those provisions were mainly used to persecute Christians. We also see the Trans gender issue is forcing females to compete with males in female sports. Why would you want to bring that confusion to Barbados at this time?
- xxix. Promoting Division: There is repetitive theme of social and reparatory justice and healing the wounds of slavery. Part of it reads like the communist/socialist manifesto, which have failed everywhere they have been tried. So, why are we trying them here? The only way to heal hurt is to forgive.
- xxx. To what extent does economic vulnerability and dependence on foreign aid limit our ability to think and act independently and to forge a unique Barbadian identity?
- xxxi. To what extent does the need for such things as food security, foreign investment and a vibrant tourism industry curb our cultural autonomy?
- xxxii. How do we maintain a pragmatic balance between the often-conflicting realities of economic dependence, global interdependence and our own independence as a developing nation?
- xxxiii. Understanding where we were, where we are and where we want to go, will empower us to work towards a common goal as citizens despite our differences.
- xxxiv. Comments on Preamble:
- xxxv. Paragraph 7 of the Preamble rightly affirms that we are all created equal. The reference to ‘The Creator’, suggests a generic theism that is non-aligned. As a Bible-believing Christian I would prefer the term ‘God’ to characterize the country as a decidedly Christian nation. However, since citizens adhere to different faiths, this non-alignment is understandable within a secular context.

xxxvi. Paragraphs 8, 9 and 10 could be re-ordered (10, 8, 9) so that the final focus is on Barbados and segues into Paragraph 11 and the Articles that follow.

xxxvii. Comments on Article 1

xxxviii The preamble to the draft Charter reaffirms our commitment to fundamental rights and freedoms. In 1948, when the Universal Declaration of Human Rights was codified, there was a tacit agreement about the rights and freedoms that were foundational to harmonious living among persons and nations of diverse backgrounds and persuasions. Today however, there is controversy largely between the developed and developing countries as to what rights and freedoms are, in fact, ‘fundamental’.

xxxix I fully agree that all Barbadians are born free and equal despite any differences contingent upon birth, beliefs, fortuitous circumstances, background or lifestyle. However, I suggest that the term ‘sexual orientation’ not be included among the specific categories listed. Reasons are as follows: a. The term is rooted in the scientifically inaccurate beliefs that: i. sex is non-binary, and gender is fluid; that is, that there is not only male and female but an indeterminate number of sexes and there is logically no one-to-one correspondence between sex and gender, ii. it is possible for an individual to change their sex and iii. biological and physical characteristics resulting from chromosomal pairs XY and XX do not indicate sex; this is merely ‘assigned’ at birth on the basis of genitalia. As a maturing country, it would be folly for us to embrace this counter evidence-based assumption. My suggestion is that, in considering the term ‘sexual orientation’, we adopt the COVID19 approach: follow the science and act out of an abundance of caution. b. The term ‘sexual orientation’ is specific to sexual rights philosophy. Unlike other terms such as sex, gender, age, class, faith, ability, cultural and educational background, it is not value neutral. Inclusion of the term in the proposed Charter suggests that as a nation we embrace sexual rights as a guiding philosophy even though we have not yet had any rigorous national dialogue on the matter. Since 2001 and over the last decade, we have had examples of the litigation, suppression and violation of traditional human rights that accompanies acceptance of the notion of ‘sexual orientation’. We have seen the logic-defying implications for education, labour, health and sports. For example, in 2019 the World’s Women’s Cycling Championship was won by a biological male. If the term ‘sexual orientation’ is to be included in the Charter, this should be with full understanding of its sometimes-bizarre ramifications. The adage, look before you leap, is apt in this case. In Caribbean parlance, I would say, let us not push our heads where our bodies can’t pass. c. The term should not be included in the Charter because it sets a precedent: i. Why should sexual orientation be highlighted as a separate category and not ‘age orientation’, ‘race orientation’ or ‘class’ orientation? Are there boundaries to sexual orientation, if so, what are they and what is the rationale for setting such boundaries? ii. The term is loosely defined and ever-evolving. The World Health Organization identifies 3 elements of sexual orientation: sexual attraction, sexual behaviour and sexual identity. In some countries, acceptance of the term has paved the way for legal incest. According to a 2018 article written by James Cox and published in the Scottish Sun, “Consensual incest is fully legal in Spain, Russia, and is not strictly prohibited under Portuguese law.



There is also no law prohibiting consenting relatives from having sex in France, Belgium and Luxembourg. In Italy, incest is illegal only if it provokes public scandal - when it can suddenly become punishable from two to eight years in jail.” The fluid concept of sexual orientation can logically be extended to include pedophilia. In Australia, Italy, the USA, UK, Canada, Switzerland, Norway and a few other countries, currently there are groups advocating for the recognition of pedophilia as a sexual orientation and therefore a fundamental right and freedom.

- xl. The inclusion of the term ‘sexual orientation’ in the Charter is prejudicial to that sector of society that subscribes to the sanctity of marriage and to those of us who see the concept as fodder for the deconstruction of marriage and the family, and the risky reconstruction of both. Perhaps it can be replaced by a neutral, all-encompassing phrase such as ‘or any other distinguishing feature.’ This should be sufficient to satisfy those who believe that there is such a thing as sexual orientation and those who do not. Moreover, it is consistent with the way in which the Charter has tried to be inclusive by using the generic, non-aligned, non-committal term, ‘Creator’ in Paragraph 7 of the Preamble.
- xli. Comments on Article 11 Paragraph 3 under the topic ‘Respect’ makes mention of the family as “the key institution ... that shall nurture future generations.” There is no definition of family and no mention of marriage. In the current sociopolitical sexual rights climate where there is no consensus among nations as to the definition of these formerly straightforward terms, it is important in any formal document, to clearly articulate Barbadian values regarding these two core institutions of society. I would like to see Barbados, like Hungary, declare itself a family-friendly country and with “unbridled confidence” define marriage as a union between a biological male and biological female.
- xlii. Comment on Articles 3 and 4: As pointed out by previous submissions, these are well conceptualized and with the suggested inclusions and modifications, provide a firm basis for framing laws within the post-Republic Constitution.
- xliii. In the spirit of this proposed Charter, I fully anticipate that all participants in this discussion will have not only an equal voice but also an equal ear.
- xliv. All Barbadians are conceived and born free and are equal in human dignity and rights. Reason: The unborn in the womb is in need of recognition and protection; There is no need for categories listing. ‘All Barbadians’ is an inclusive statement; The document should close with Thanksgiving to God; Barbadians need to be reminded that we have not gotten where we are without divine help and need to be conscious that preservation of gains are in God’s hands; Those acknowledgements should be acceptable to everyone irrespective of their conceptualization of God.
- xlv. The atheists may object but even he is his own God and based on the document is free to thank himself.
- xlvi. I start from the perspective that all people are equal and deserve their rights and dignity by virtue of being human, and for no other reason than that. With that perspective, nothing in our national aspirational or inspirational documents or

symbols should use language or ideas that exclude or marginalize any person or group of persons. I am an atheist. My atheism is not an assertion that there is no god because logically, it's impossible to prove a philosophical negative.

Rather, it's the rejection of the strident but unprovable assertion by most people that a god or gods exist. It is rather painful to be treated as a second- or third-class citizen in my own country because of my philosophical position. Unfortunately, our National Anthem refers to the Lord being the people's guide. But, as an atheist, how am I supposed to feel, other than excluded, by such sentiments being thus enshrined.

- xlvi. It would be very useful if the paragraphs were numbered appropriately so that the sections and paragraphs could be easily referenced.
- xlvii. Preamble Paragraph 7 asserts as a fact that “. . . we are all equal in the eyes of the Creator”, but from whence do we derive the assertion that there is a “creator”, or further that he sees us all as equal. The history of religion and the scriptures of most religions prescribe very different treatment for different classes of people based on gender, race, social status, religious faith, etc. Why is the assertion necessary, anyway?
- xlvi. Likewise, the same paragraph seems to suggest that we are equal because of the laws of the land. However, our equality derives from our humanity. In the past, our laws allowed slavery, the unequal treatment of women, etc. So, our laws must be crafted to ensure that our human equality is assured. The laws must be derived from this fact, not the other way around.
  - l. Article 1 – The preamble to this section is a bit troubling. It mentions age, race, ethnicity, faith, class cultural and educational background, ability, sex, gender, or sexual orientation as the basis for our rights and dignity.
  - li. I have perused the document with meticulous care and every scruple of integrity but on reading Article 1, I am left in in complete ignorance as to what is sexual orientation since you have itemized sex and gender.
  - lii. **WHY MUST SUCH AN EXPRESSION BE DRAGGED ALONG SUCCINTLY AT THE END OF THAT SENTENCE.**
  - liii. That should be removed with immediate haste for it seems to lessen the quality of our people as we move into the status of becoming a republic.
  - liv. Was such an expression in our original constitution if it was not there before how can it be attached now. Should not our people have a say in such a pertinent matter.
  - lv. The proposed Charter of Barbados is a thoughtful encapsulation of the ideal Barbados which citizens should work towards, both separately and together. Family-Faith-Freedom, Barbados, commends the Advisory Committee for developing this conceptual framework which can effectively unite us despite our many differences, and can steer us on to, and keep us on a firm path of progress.
  - lvi. We suggest that the Preamble include the following paragraph: “COGNIZANT of the reality that future generations of Barbadians will be shaped by the children of this generation and the next, we will strive to ensure that our children are raised to be respectful, civic-minded and to uphold wholesome values that are grounded in godliness and truth.”

- lvii. Article 1 speaks of intrinsic human dignity and rights. We recommend that it also underscore the sanctity of human life from conception, through birth, life and natural death.
- lviii. The use of the word ‘Creator’ – as opposed to ‘God’ in Paragraph 7 of the Preamble, signals a departure from a Judeo-Christian anchor and an orientation towards secular humanism. We consider this unfortunate and recommend that this decision be revisited. We respectfully ask that the reference to ‘the Creator’ be rephrased as a reference to ‘God’ or ‘The Lord’.
- lix. We acknowledge the detailed explanations given by a member of the Committee regarding the validity of, and the need to protect the values of sex, gender and what has been termed ‘sexual orientation’ within the context of human rights. We respectfully submit however, that sex and gender are clearly defined values; sex being the biological differentiation between male and female, and gender being a sociological construct largely derived from common sense responses to these differences. We categorically reject the notion that sexual orientation is a human right. No other human right is out of sync with nature. The World Health Organization identifies 3 elements of sexual orientation, one of these being sexual attraction. What if an individual’s ‘sexual orientation’ is towards adult to child sex, human to animal sex, child-parent sex or involves any other attraction such as necrophilia? Are there boundaries to sexual orientation? If so, what circumscribes these boundaries? If an individual’s ‘orientation’, that is, their natural attraction, preferred behaviour and self-identity is to be deemed a fundamental human right, why should this be limited to sexual orientation and not be extended to include class, educational background, ethnicity or any of the other categories listed in Article 1? Given the tenuous definition of the term, we unequivocally request the non-inclusion of sexual orientation as an intrinsic value in the Charter and Constitution of Barbados and in the related laws and statutes.
- lx. FAMILY: We agree with the main tenets of Article 2. This Article addresses the importance of human capital and, among other things, speaks to the desirability of forging mutual bonds of respect and dignity among citizens of all ages and persuasions. We especially applaud the recognition of the family as “the key institution through which our present and future generations are and shall be nurtured.” Article 16.3 of the Universal Declaration of Human Rights states that “The family is the natural and fundamental group unit of society and is entitled to protection by society and the State.”
- lxi. We propose that Barbados declare itself a Family-Friendly Country (similar to what Hungary has done). As a small island developing state with limited natural resources, it is critical that the country provide an enabling environment for the development of human capital including Government support via the following: a. A family-friendly labour code that considers childcare, job protection for nursing mothers, child welfare measures and in general, practical, innovative measures for the reconciliation of work and family. A sound educational system that provides accurate information about human sexuality and sexual health as part of the existing Health and Family Life Education regional curriculum; b. A deliberate inculcation of civic morality among youth via a national youth service, mandatory to those school leavers who are neither

employed nor enrolled in further vocational or academic education after a year of leaving school.

- lxii. FAITH: Paragraph 7 of the Preamble subscribes to the notion of a ‘Creator’. An intelligent Creator creates with design and purpose. However, there is an internal contradiction in Article 1 which overlooks both design and purpose in creation, by inclusion of the term ‘sexual orientation’. This inclusion is far reaching and undermines marriage and family, the two key institutions of society. The social benefits of marriage and a stable family life are values upheld by Christianity and other Faiths within our country.
- lxiii. FREEDOM The Preamble to the Charter reaffirms solidarity in the vision of “a truly free, independent, fair and just Barbados for all”. The vision is noble and necessary. Yet, although the document speaks liberally about related concepts such as human dignity, equality, and justice, there is a certain incongruity in the way it promotes the authenticity of one’s mirror image. What is upheld as desirable in forging a unique national identity is denied as important when it comes to accepting self. True freedom must be morally and sensibly circumscribed and built on a foundation of truth. There is little difference whether that truth be the legacy of slavery at a national level, or, at an individual level, the biological facts of sex and inherent characteristics.
- lxiv. We should aspire to a nation where respect, compassion, care, fairness and cooperation are evident in all that we do. A nation where our prisons are empty and every person is fed and sheltered; where the sick and elderly are cared for and every person who is capable of working is working assiduously to preserve the quality of life we have determined for ourselves.
- lxv. To actualize such an aspiration our children must become our priority.
- lxvi. Children are, not only our offspring, they are the torch bearers of tomorrow that we bring to this earth. How we treat them is an indication of our regard for our future.
- lxvii. They each arrive here with a purpose and though, in large measure, we have lost those practices that allow us to learn who they are and how they should be guided and taught to fulfil their purpose, we are obliged to protect, nurture, guide and truly love them. That is indeed part of our individual obligation as parents and our collective obligation as the village, the community and the society.
- lxviii. In their young years they are tender and therefore must be cared for with a reverend spirit. They have only just arrived from the spirit world; there is no disputing that idea; it is a fundamental understanding that runs through all spiritual belief systems. That is who children are.
- lxix. Many children come bearing their torches, we see them – if we refer to them as bright, old for their years, wise, even “rude” – we see them. There are here to illuminate aspects of our lives that we need to examine, correct and enhance. They are here to teach us and assist us in our growth so that we too fulfil our purpose. We in turn, for what we should have learnt (by the time they arrive) must apply wisdom in our dealings with them. We are to set the example for them to follow and build upon because they will be the ones stepping into the future. Their role is critical – we must respect them and be mindful of how we interact with them.

- lxx. Being an example of good and noble character ensures us a responsible and stable future. Our children – if the right foundation is laid, will raise their children with respect and the nobility of character we demonstrated in raising them.
- lxxi. “Specifically religious language is problematic”
- lxxii. “instead of faith, say belief”
- lxxiii. “religion or lack thereof”
- lxxiv. “use creed”
- lxxv. “remove creator”: “Use of the ‘Creator’ immediately alienates those who do not believe that humans were not created by any one entity.” “What about polytheistic religions?” “If the use of ‘Creator’ makes a segment of the population feel excluded, why include it? There are other ways to convey the concept of equality.
- lxxvi. There was a general wariness of the family being mentioned without making it explicit that family does not just mean a nuclear heterosexual family. There needs to be a recognition of different family types like multigenerational households, chosen families, non-heteronormative families etc.
- lxxvii. All references to ‘brothers and sisters’ throughout the document should be replaced with gender-neutral language.
- lxxviii. The reference to ‘fathers’ in the preamble is unnecessarily gendered as those categorised as women contributed, albeit more behind the scenes and uncredited work. If ‘fathers’ is meant to refer to Errol Barrow and Grantley Adams specifically, this could be made explicit.
- lxxix. Not just racial or socio-economic oppression. Oppression based on sexual orientation through laws. No explicit recognition of the marginalization as a result of intersecting factors e.g. poor, undereducated, transgender women with disabilities has very specific vulnerabilities which are inextricably linked.
- lxxx. There were strong feelings on this point. It is factually incorrect to state in the preamble that we are equal according to the laws of the land. There are laws which do not reflect the fact that we are equal. Furthermore, equality does not stem from the laws. It’s the other way around, the laws should reflect equality.
- lxxxi. All individuals and organizations consulted felt very strongly about the use of ‘tolerance’. It was agreed that the term ‘inclusion’ should replace tolerance and accompany respect each time it is mentioned because in order to earn respect, one must be included. While it was understood that the primary definition of ‘tolerate’ has neutral to positive connotations, the secondary definition does not.
- lxxxii. “Barbados’ discrimination against our Caribbean and Latin American neighbours especially when it comes to immigration and residency must end. We are all too willing to allow citizens from wealthy countries to flout our laws while we replicate their worst behaviour when it comes to discrimination against those from countries we deem “lesser”.” “Diversity is a valuable resource”. “We should uphold equality with immigration laws and protect the rights of citizens and those married to citizens as well as the wider global community.” “I recommend that the leaders of Barbados

proceed with caution on this issue regardless of sexual orientation, because our system is already challenged with how to equitably take care of their own citizens, first”.

- lxxxiii. It was felt that we as a marginalised community must highlight the fact that xenophobia is much too common in Barbados. We must also acknowledge that too many of us seek refuge elsewhere because they feel unable to live full lives in Barbados. Therefore, there is consensus that the Charter should explicitly state that we will uphold the fundamental equality and human dignity of all within our jurisdiction (so inhabitants, Barbadians and residents).
- lxxxiv. It was felt that the section that mentions the Social Partnership and Social Justice Committee should make it clear that it is about protecting the interest of Barbadians and those who live here, not just consumers.
- lxxxv. “Right to assessments and fair academic accommodations for children with learning disabilities” “Children didn't choose to be here; they should be protected at all costs”.
- lxxxvi. “As a nation we have unfortunately normalized the harsh punishment for children more than we normalize and stride to protect them from discrimination especially on the grounds of their indecisive sexual orientation status.” “I recommend that human children be recognized as human children based on their age category by law.
- lxxxvii “Disabled children should have access to free primary, secondary and tertiary education like other children.”
- lxxxviii “Juvenile laws should be diverse and specific and wholly intent on protecting children and not criminalising them.”
- lxxxix “I don't believe children should be raised by same sex couples at all.”
- xc. There was concern that children were not explicitly mentioned. If we are to move away from “children must be seen and not heard”, they must be included in the Charter. Children must have a voice regarding their wellbeing and their right to also participate in civic life must be acknowledged. There was also a concern that if the rights of the child are to be mentioned, it should be made clear that LGBTQ+ children have the same rights as other children. There is also the issue of the assumption that LGBTQ+ children have been pressured or influenced. However, from our own experience as LGBTQ+ children and from our interactions with LGBTQ+ youth, children have agency and are well aware of who they are. This should be acknowledged and respected.
- xc. It was agreed that there was not enough emphasis put on the fact that the environment should be protected whether or not there are direct and easily quantifiable benefits to us as human beings. We have a duty to do as little harm as possible and to preserve biodiversity. The section on the environment needs to be fleshed out more and the focus should be expanded beyond anthropocentricity.