

COUNTRY BASELINE UNDER THE ILO DECLARATION ANNUAL REVIEW

Bahamas - 2023

THE ELIMINATION OF ALL FORMS OF FORCED OR COMPULSORY LABOUR Protocol of 2014 P029 to the Forced Labour Convention

REPORTING

Fulfillment of Government's reporting obligations

Yes

Involvement of Employers' and Workers' organizations in the reporting process

91. When preparing its report, did the Government consult? [10.1]

92. To which employers organizations was the report sent? [12] Please provide the list

93. To which workers organizations was the report sent? [13] Please provide the list

94. Please describe the consultation process(es). [10.2]

OBSERVATIONS BY THE SOCIAL PARTNERS

Employers' organizations

83. Have employers and or or workers organizations been consulted in the development and implementation of adopted measures? [6.1]

Yes

84. Please provide details and provide any relevant URL(s) [6.2]	2023 Trafficking in Persons Report : The Bahamas https://www.state.gov/reports/2023-trafficking-in-persons-report/bahamas
95. Did employers organizations comment on the report? [11a]	No
97. Please provide URL(s) to the responses and comments of the employers and workers organizations to the above questions, if you have received them	
Workers' organizations	
83. Have employers and or or workers organizations been consulted in the development and implementation of adopted measures? [6.1]	Yes
84. Please provide details and provide any relevant URL(s) [6.2]	2023 Trafficking in Persons Report : The Bahamas https://www.state.gov/reports/2023-trafficking-in-persons-report/bahamas
96. Did workers organizations comment on the report? [11b]	No
97. Please provide URL(s) to the responses and comments of the employers and workers organizations to the above questions, if you have received them	
EFFORTS AND PROGRESS MADE IN REALIZING MEASURES TARGETED BY THE PROTOCOL	
Ratification	
Ratification intention	
61. If you have ratified Convention No. 29 but not the 2014 Protocol to Convention No. 29, what are the prospects for ratification of the Protocol?	Likely
62. What, if any, are the impediments to the ratification of the 2014 Protocol to Convention No. 29?	N/A

Existence of a policy and or plan of action for the suppression of forced or compulsory labour

63. Is there a national policy and plan of action aimed at realizing the principle of effective and sustained suppression of all forms of forced or compulsory labour through prevention, victim protection and access to remedies? [1.1]	Yes
65. Please also indicate the manner in which employers' and workers' organizations have been consulted. [1.3]	Consultation has been made with the National Tripartite Council.
66. Does the Government envisage adopting a national policy and/or plan of action in this regard? [1.4]?	
67. Does the Government wish to receive ILO assistance in developing a national policy and/or plan of action in this regard? [1.4b]	
68. Is there a national policy and plan of action setting out measures and specific action for combatting trafficking in persons for the purposes of forced or compulsory labour? [1.5]	Yes
69. Please describe these measures. [1.5]	No comment at this time.
70. Does the Government collect and analyse statistical data and other information on the nature and extent of forced or compulsory labour? [1.6]	Yes
71. Please describe these data. [1.6.1]	No comment at this time.
72. Does the Government envisage collecting data on forced or compulsory labour? [1.6.2]	

Measures taken or envisaged for systematic and coordinated action

64. Please describe the measures envisaged, the established objectives and the authorities responsible for the implementation, coordination and assessment of these measures. Please provide any relevant URL(s) [1.2]	On July 17, 2023 Prime Minister Phillip Davis made a Proclamation "Trafficking in Persons Month & World Day Against Trafficking in Persons" for The Bahamas. Additionally, The Bahamas also developed an antitrafficking in persons strategy 2019-2023.
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Measures taken or envisaged to prevent forms of forced labour

74. Have measures been taken or are measures envisaged for the prevention of all forms of forced or compulsory labour? [2.1]	Yes
75. If so, please indicate the type of measures, [2.2]	a) Information, education and awareness raising targeting especially people in vulnerable situation and employers, c) Regulation and supervision of the labour recruitment and placement process, d) Supporting due diligence by the public and private sectors, f) Promotion of safe and regular migration, g) Education/vocational training, h) Capacity building for the competent authorities, i) Promotion of freedom of association and collective bargaining to enable at-risk workers to join workers' organizations, j) Basic social security guarantees.
75.a,c,d,f-j. Please provide a description of measures taken or envisaged:	No comment at this time.
75.a Please indicate the population groups benefiting from these measures and the relevant forced labour practices:	The government maintained efforts to protect victims. Authorities continued to implement a formal victim-centred protocol to guide front line responders in identifying other sex and labour trafficking victims and referring them to services. However, concerns remain on the thoroughness of their application, especially with vulnerable populations such as undocumented migrants and stateless children.
75.c-d, f-j. Please indicate the population groups benefiting from these measures and the relevant forced labour practices:	The informal economy, which includes undocumented migrant workers, vulnerable young people and women.

Measures taken or envisaged to protect victims of forced labour

76. Have measures been taken or are measures envisaged for the identification, release, protection, recovery and rehabilitation of victims of all forms of forced or compulsory labour? [3.1]	Yes
77. If so, please indicate the type of measures [3.2]	a) Training of relevant actors for identification of forced labour practices, b) Legal protection of victims, c) Material assistance for victims, d) Medical and psychological assistance for victims, f) Protection of privacy and identity, g) Appropriate accommodation, h) Specific measures for children, i) Specific measures for migrants.
77.a. Please provide a description of measures taken or envisaged:	Trafficking in persons units was established in the Royal Bahamas Police Force and The Ministry of Immigration. These units coordinate and manage all cases of forced labour in The Bahamas. Officers are trained to identify victims and follow prescribed procedures to ensure that the human rights of these individuals are protected.

Measures taken or envisaged to facilitate access to remedies

78. Have measures been taken or are measures envisaged to provide victims of all forms of forced or compulsory labour with access to remedies? [4.1]	Yes
79. If so, please indicate the type of measures, [4.2]	a) Information and counselling for victims regarding their rights, b) Free legal assistance, c) Cost-free proceedings, d) Development of forced labour indicators, e) Access to remedies and compensation, f) Capacity building and enhanced resources for the competent authorities, such as labour inspection, law enforcement, prosecution services and judges, g) Provision for authorities not to prosecute victims for acts which they have been compelled to commit, h) Provision of penalties such as the confiscation of assets and criminal liability of legal persons.
80. Please indicate whether the measures aimed at providing access to justice and remedies apply to all victims of forced or compulsory labour, irrespective of their presence or legal status in the national territory. [4.3]	Yes
Non-prosecution of victims for unlawful acts that they would have been forced to carry out	
79.a-h Please provide a description of measures taken or envisaged:	No comment at this time.
79.a-h. Please indicate the population groups benefiting from these measures and the relevant forced labour practices:	No comment at this time.
Cooperation with other Member States, international / regional organizations or NGOs	
81. Does the Government cooperate with other member States, international and regional organizations, or non-governmental organizations to achieve the effective and sustained suppression of forced or compulsory labour? [5.1]	Yes
81.1. Please specify	a) Other member States, b) International and regional organizations, c) Non-governmental organizations.
82. Please briefly describe the modalities of this cooperation. [5.2]	Reports are made yearly outlining The Bahamas as fight against trafficking in persons.
Promotional activities	
90. Please provide URL(s) to any new information on efforts made to respect, to promote and to realize the principle of	

effective and sustained suppression of forced or compulsory labour through prevention, victim protection and access to remedies. [14]

Special initiatives or Progress

85. Please describe any significant changes which have taken place since your last report (for example, changes in the legislative and institutional framework, launching of major programmes, new data, changes in the number of persons in forced labour who have been identified, released and protected, penalties imposed on perpetrators). [7]

"The Government of The Bahamas fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period, considering the impact of the COVID-19 pandemic, if any, on its anti-trafficking capacity; therefore The Bahamas remained on Tier 1. These efforts included convicting and sentencing a trafficker to a imprisonment and making efforts to provide restitution to a repatriated foreign victim. The government also adopted legislation to allow victims to testify remotely, including from overseas; provided continued support for foreign victims repatriated abroad; and cooperated with a neighboring country to repatriate three victims. It also trained high-level officials, including five new members of the Trafficking in Persons Task Force (Task Force), and new labor inspectors; carried out more awareness raising; created new hotlines to report trafficking cases; and solicited feedback from underserved groups on anti-trafficking policies. Although the government meets the minimum standards, it did not initiate any prosecutions, continued to identify few victims, and did not provide investigative data. "US Department of State, 2023 Trafficking in Persons Report - The Bahamas.

90. Please provide URL(s) to any new information on efforts made to respect, to promote and to realize the principle of effective and sustained suppression of forced or compulsory labour through prevention, victim protection and access to remedies. [14]

CHALLENGES IN REALIZING MEASURES TARGETED BY THE PROTOCOL

According to the social partners

Employers' organizations

86. What are the main obstacles encountered by your country with regard to realizing the principle of effective and sustained suppression of all forms of forced labour through prevention, victim protection and access to remedies? [8]

a) Lack of awareness

Workers' organizations

86. What are the main obstacles encountered by your country with regard to realizing the principle of effective and sustained suppression of all forms of forced labour through prevention, victim protection and access to remedies? [8]	a) Lack of awareness
According to the Government	
86. What are the main obstacles encountered by your country with regard to realizing the principle of effective and sustained suppression of all forms of forced labour through prevention, victim protection and access to remedies? [8]	a) Lack of awareness
TECHNICAL COOPERATION NEEDS	
Request	
87. Does your Government think that it should establish technical cooperation activities with the ILO or pursue those that already exist for the prevention and effective suppression of forced or compulsory labour, victim protection and access to remedies? [9.1]	No
88. If so, please indicate the needs in this area by level of importance (not important, less important, important, most important) [9.2]	
89. Please provide additional information on the top three needs that you have identified in the elimination of forced labour or compulsory labour. Please provide URL(s) to any other information you may deem necessary.	