



29th session of the Universal Periodic Review – The Bahamas

Introduction

1. The Bahamas should continue to affirm the sanctity of life on the part of all human beings, including the unborn, and resist calls to liberalize access to abortion. The Bahamas should also address the issue of high levels of maternal mortality and morbidity in the country, as well as the proliferation of potentially problematic sex education curricula.

Abortion, Maternal Health, Sexual Education and Parental Rights

2. Under the Penal Code of the Bahamas of 1924, abortion is illegal, but any act done, in good faith and without negligence, for the purpose of medical or surgical treatment of a pregnant woman is considered justifiable, although it causes or is intended to cause the premature delivery or the death of the unborn child. As a result of a liberal interpretation of what constitutes medical or surgical treatment, abortion is allowed in cases of rape, incest, and preservation of health, including mental health. Abortion advocates have been calling upon the Bahamas to fully decriminalize abortion and make it available on demand.
3. Although the medical infrastructure is of an acceptable standard, access to quality health-care services is less available in remote and poor areas. Increasingly high rates of maternal mortality have less to do with the legality of abortion *per se* than with an inability to access obstetric care, lack of information, and lack of health workers. Further, abortion can never be safe because it takes the life of the unborn child, and harms the mother through the loss of her child. Given the maternal health crisis in the country, the Bahamas must rather focus its efforts and resources on improving conditions for pregnant women, women undergoing childbirth, and postpartum women, particularly in remote or rural areas.

Recommendations

4. ADF International suggests the following recommendations be made to the Bahamas:
 - a. Affirm that there is no international human right to abortion and that the right to life applies from conception until natural death, and as such that the unborn child has the right to protection of his or her life at all points;
 - b. Resist calls to further liberalise abortion, and instead implement laws aimed at protecting the right to life of the unborn;
 - c. Recognize that the full legalisation of abortion, in a country with high levels of maternal mortality and morbidity and with severe problems with access to proper health-care, will not make pregnancy and childbirth any safer;
 - d. Improve health care infrastructure, access to emergency obstetric care, midwife training, and resources devoted to maternal health;

- e. Focus on safely getting mothers and babies through pregnancy and childbirth, with special attention paid to improving health-care access for women from poor and/or rural backgrounds;
- f. Review sex education programs to ensure that they are age-appropriate and support traditional family values in accordance with the values of the people of the Bahamas; and
- g. Ensure that students and their parents are able to opt out of sex education programs which violate their religious or moral convictions.