

**UPR Barbados
Canadian HIV/AIDS Legal Network**

Mr. President, distinguished members of the delegation,

I am pleased to deliver this statement on behalf of the Canadian HIV/AIDS Legal Network and the International Gay and Lesbian Human Rights Commission.

We wish to address recommendation 17, dealing with the decriminalisation of consensual adult same-sex conduct. We note that in its response, Barbados states that it cannot accept the recommendation "at this time", because "significant sections of the community are opposed to such decriminalisation" and it is "against the weight of public opinion".

We would respectfully emphasize, however, that human rights must never become a popularity contest, and indeed international guarantees of non-discrimination are designed precisely to protect the rights of *unpopular* minorities.

The UPR is based upon relevant international legal standards, and in this context we note that in May, 2007, the UN Human Rights Committee specifically "expressed concern over discrimination against homosexuals by the State party, and in particular over the criminalization of consensual sexual acts between adults of the same sex." In its Concluding Observations on Barbados, the Committee stated: "The State party should decriminalize sexual acts between adults of the same sex and take all necessary actions to protect homosexuals from harassment, discrimination and violence."

As the High Commissioner for Human Rights, Ms. Pillay, emphasised in December, 2008:

"There remain all too many countries which continue to criminalize sexual relations between consenting adults of the same sex in defiance of established human rights law. Ironically, many of these laws are relics of the colonial era, and are increasingly becoming recognised as anachronistic, and as inconsistent both with international law and with traditional values of dignity, inclusion, and respect for all."

On a positive note, we welcome Barbados's commitment in its response to "protecting all members of society from harassment, discrimination and violence regardless of sexual orientation", and would appreciate hearing from the delegation what measures it proposes to ensure such protection. We also welcome the government's support for the historic OAS resolution in 2008 on "human rights, sexual orientation and gender identity" and hope that this commitment will ensure a better future for the LGBTI community in Barbados.