



**40th Human Rights Council Session
Item 6 - UPR Outcome Malaysia
15 March 2019
Statement by International Lesbian and Gay Association**

Delivered by Javid Nabiyev

Thank you, Mr. President,

This statement is made in consultation with the Young Queer Alliance (YQA), an LGBT organisation in Mauritius. Mauritius received 14 recommendations, 3 advanced questions and 4 remarks on sexual orientation and gender identity. In line with the UN Human Rights Committee recommendations, Mauritius has been encouraged at the UPR to fully decriminalise homosexuality and ensure advancement of full SOGIE protections in legislation.

We welcome the position of Mauritius on prioritising the Human Rights issues of LGBT people following Peer States' interventions at the UPR. We also welcome the setting up of the National Mechanism for Reporting and Follow-up (NMRF) in view of engaging in broad consultations on Human Rights and commend the position taken by Mauritius concerning national awareness programs on LGBT issues.

However, despite positive advances, the Government took note of all the recommendations related to these issues, including those on Hate Crimes and Hate Speech in all its forms targeted to LGBT people. Lack of legal protection for LGBT people towards hate crimes and hate speech violates the human rights of LGBT people; prevents law enforcement institutions to act towards homophobia and transphobia; and, encourages perpetrators of hate – including homophobic death threats – to go unpunished as in the case of the anti-LGBT protest of 2017 and 2018. As recent as on the 3rd December 2018, the UK approved the asylum status of a Mauritian based on their sexual orientation due to life-threatening homophobia in Mauritius.

Religion and cultural sensitivities have been made into colourable devices to deny LGBT people of their human rights instead of evidenced-based, rational, human and inclusive decision and policy making. Moreover, State support to CSOs in addressing homophobia and providing support to LGBT people through the National Corporate Social Responsibility (NCSR) is not meaningful if symbolic.

The reply of Mauritius to UPR recommendations on LGBTI, sexual orientation and gender identity creates dire apprehension among the LGBT people of Mauritius. We call upon Mauritius to effectively protect the rights of LGBT persons and we stand ready to work with the Government.

I thank you Mr. President

