

Ms. Fikile Vilakazi

ACTION CANADA FOR POPULATION AND DEVELOPMENT & COC NETHERLANDS STATEMENT TO THE UNITED NATIONS HUMAN RIGHTS COUNCIL UNIVERSAL PERIODIC REVIEW OF SWAZILAND – FOCUS ON SEXUAL AND REPRODUCTIVE RIGHTS VIOLATIONS IN SWAZILAND – 15 MARCH 2012

Thank you Madame President.

The Sexual Rights Initiative¹ draws the attention of the United Nations Human Rights Council to the sustained sexual and reproductive rights violations of the people of Swaziland by the government of Swaziland.

The failure of the state to fulfil its human rights obligations to women and other vulnerable groups such as LGBTI people is happening in a context where Swaziland has acceded to various international instruments aimed at promotion and protection of human rights violations at national level. This is worrying in that the Swaziland government has rejected recommendations from other states at this council to put legal and other measures to address human rights violations based on sexual orientation and gender identity and women's rights to own property.

Swaziland has failed to effectively address gender-based violence. Levels of physical, emotional and sexual violence against women are extremely high. Madam President, Swaziland has no legal protections in place on the grounds of sexual orientation and gender identity. This continues to infringe on the sexual and reproductive rights of lesbian, gay, bisexual, transgender and intersex citizens of Swaziland.

The Constitution of Swaziland limits women's rights to sexual and reproductive health. In terms of section 15(5), no woman is permitted to terminate her pregnancy. Consequently, the mortality rate of both women and children is escalating because the laws do not provide for women's autonomy on the issue of termination of pregnancy.

We call on the government of Swaziland to

- a. Accept the recommendations made by some states at this council on addressing the human rights situation in Swaziland, particularly those based on sexual orientation and gender identity and women's rights to own property.
- b. Accept the recommendations submitted by the Swaziland civil society coalition on addressing human rights violations in Swaziland

We ask the Swaziland government to address this Council on the specific measures it will take to address the issues of women's human rights and the human rights of LGBTI people in Swaziland in keeping with its International human rights obligations?

Thank you.

¹ SRI is a coalition of organisations including Action Canada for Population and Development (Canada), Akahata (Argentina), CREA (India), Coalition of African Lesbians (South Africa), Egyptian Initiative for Personal Rights (Egypt), Federation for Women and Family Planning (Poland).