

Statement of Action Canada for Population & Development and COC Netherlands, Item 6–Universal Periodic Review–Trinidad & Tobago–Adoption of UPR outcome on Trinidad & Tobago–March 15, 2012

This statement is also on behalf of the Coalition Advocating for Inclusion of Sexual Orientation and the Family Planning Association, the only domestic non-governmental stakeholders to submit information to the Council for Trinidad and Tobago's Universal Periodic Review, with the Sexual Rights Initiative¹.

We proudly congratulate the Government for distinguishing itself among its Caribbean peers in embracing issues of sexual rights, sexual orientation and gender identity at UPR—in particular:

- taking bold public steps since the Working Group to address marriage of minors
- recognizing that we are a diverse national community with “new and emerging” human rights issues which require state intervention and protection
- expressing commitment, fitting for this session of the Council, that “discrimination based on sexual orientation...remains a matter of concern in the forefront of the minds” of the Government and explicit recognition that the human rights of all citizens includes the LGBT community.

Excellencies: my nation has declared an intention to be a Caribbean leader in addressing the changing needs of its population. Such leadership requires more than language; it necessitates action – and deserves support. Commitments to human rights make little difference to lived lives of people unless enshrined in legislation, policy and practice.

I therefore appeal to the Council to extend Trinidad and Tobago continued support:

- to commence forthwith the nationwide human rights awareness campaign announced in October
- to move swiftly to ensure establishment of a functioning national human rights institution compliant with the Paris Principles (as referenced in Recommendations 88.25 to 88.30)

and ask the Government:

In implementing recommendations 87.23 and 88.51, will they ensure that legislation (introduced *since* the October Working Group) to amend the Equal Opportunity Act of 2000 includes protections against discrimination based on sexual orientation which, will they ensure that legislation (introduced *since* the October Working Group) to amend the Equal Opportunity Act of 2000 includes **protections against discrimination based on sexual orientation**. As Germany (and previously three UN treaty reviews²) have noted, the current statute explicitly excludes such protection.

In building a nation that respects and protects the human rights of all, the Council – and of course the Government – is assured of our organizations' enduring partnership. Thank you for the opportunity to participate in this process on behalf of civil society in Trinidad and Tobago.

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

² In 2000, the Human Rights Committee recommended in its concluding ICCPR observations that the state “introduce amending legislation to extend the provisions of the Act to those suffering discrimination on grounds of age, sexual orientation, pregnancy or infection with HIV/AIDS”. In 2002, members of the Committee on the Elimination of Discrimination against Women expressed concern that “the Equal Opportunity Act did not prohibit discrimination on the grounds of sexual orientation” and urged the Government to continue its efforts to eliminate discrimination on the grounds of sexual orientation. Also in 2002, the Committee on Economic, Social and Cultural Rights cited lack of protection based on sexual orientation in the Act as one of its principal areas of concern, and recommended the state “take legislative and other effective measures to eliminate discrimination...[i]n particular...to promote the rights of individuals, especially with regard to their sexual orientation...”

