

Human Rights Council – 29th session – June 2015

Item 6: Adoption of UPR outcome on Guyana

Statement by Action Canada for Population and Development

Action Canada makes this statement in collaboration with the Sexual Rights Initiative:

We are deeply concerned by the failure of the government to provide an addendum report that responds to recommendations 132.29 to 132.42. These recommendations concern the decriminalisation of adult consensual same-gender sexual activity, the need to amend Article 129 of the Constitution and to repeal sections 351 to 353 of the Criminal Code. The absence of this addendum goes to the very heart of the UPR process and shows indifference and resistance by Guyana to being held accountable in this forum.

We are pleased to note that recommendations 130.25 to 130.27 calling for the strengthening of protection measures for LGBT people, the investigation of hate crimes and discrimination based on sexual orientation and gender identity enjoy the support of Guyana. However, measures to achieve these recommendations will not be effective as long as homophobia is State-sponsored through legislation and the criminalization of same-gender sexual activity.

The lack of respect for the right to equality and non-discrimination for LGBT people in Guyana reinforces stigma and discrimination. This deters lesbian, gay, bisexual and trans people from reporting acts of discrimination, abuse and violence to the relevant authorities.

We urge the Government of Guyana to adopt a holistic approach when dealing with violations of human rights, and to repeal laws that criminalise persons based on their gender or sexual orientation or consensual sexual activity, and affirm the rights of persons marginalised based on sexual and gender norms. We further urge the government to take a strong stand or position towards equality and non – discrimination by making a suitable amendment to the Constitution.