ERAO SVG STATEMENT

Good morning your excellencies, distinguished delegates, representatives of civil society, and colleagues. My name is Jeshua Bardoo. I am a Lawyer and the Executive Officer of Equal Rights, Access and Opportunities SVG Inc. (ERAO SVG), an intersectional human rights organisation dedicated to promoting equality and non-discrimination in Saint Vincent and the Grenadines ("SVG"). This year, ERAO SVG, in a joint coalition, submitted a report with 43 recommendations for the 4th Cycle of SVG's UPR. Many of the issues we will raise were already addressed through past UPR cycles. Today, our intervention focuses on 2 main areas: (1) Criminalisation of consensual adult same-sex conduct; and (2) Strengthening national and regional human rights protection frameworks.

Criminalisation of consensual adult same-sex conduct

Firstly, in previous UPR cycles, SVG did not accept any recommendations related to the repeal of sections 146 and 148 of the Criminal Code that criminalise consensual adult same-sex conduct. While these laws may be rarely enforced in practice, their existence contributes to continued stigmatisation, discrimination, and violence against LGBTQ+ people. Personally, as a Vincentian queer person myself, I have been stoned, spat on, attacked, and calls have been made for my arrest in SVG. The criminalisation of consensual adult same-sex conduct violates fundamental rights, including the right to privacy, equality, and non-discrimination, as established in the jurisprudence of the Human Rights Committee, such as Toonen v. Australia, and of the Committee on the Elimination of Discrimination against Women, such as Flamer-Caldera v. Sri Lanka, as well as in 2009 General Comment Number 20 of the Committee on Economic, Social and Cultural Rights. SVG is a party to both the International Covenant on Civil and Political Rights, and the International Covenant on Economic, Social and Cultural Rights. We therefore urge States to recommend that SVG **Repeal sections 146 and 148 of the Criminal Code**. We remain optimistic that, given the repeal of similar laws across the Caribbean between 2022 and 2025 in Antigua and Barbuda, Barbados, Saint Kitts and Nevis, the Commonwealth of Dominica, and Saint Lucia, change can occur in SVG.

Strengthening national and regional human rights protection frameworks

Secondly, while we welcome the establishment of a National Follow Up and Reporting Mechanism in the Ministry of Foreign Affairs, SVG has yet to establish an independent National Human Rights Institution despite repeated recommendations to do so in the 3rd UPR cycle, all of which such recommendations were accepted. An independent national human rights institution is essential to provide victims with an accessible and impartial avenue for complaints and redress. However, national mechanisms should be complemented by independent regional oversight where domestic remedies are unavailable or ineffective. At the regional level, most human rights treaties under the Organisation of American States remain unratified, including the American Convention on Human Rights, which formally established the Inter-American Court of Human Rights, another redress mechanism which can help protect and safeguard the rights of people, including LGBTQ+ people, in SVG. We therefore urge States to recommend that SVG **Establish a National Human Rights Institution in full compliance with the UN Paris Principles, Ratify the American Convention on Human Rights**, and **Accept the Contentious jurisdiction of the Inter-American Court of Human Rights**, thus ensuring that victims have access to effective remedies at both the national and regional levels.

Closing remarks: To conclude, given the limited number of recommendations each delegation can make, we ask that these be among your priorities this review cycle. Thank you for your time and kind consideration.

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