

## **United Nations Human Right Council 12<sup>th</sup> Session UPR Belize – Canadian HIV/AIDS Legal Network**

Mr President, distinguished members of the delegation,

We appreciate Belize's clear responses to the recommendations, and the fact that these responses have been circulated in writing.

We very much welcome Belize's acceptance of recommendation 12, in which the government agrees to provide human rights training with regard to the protection of vulnerable groups, including persons of minority sexual orientation or gender identity to law enforcement officials, judicial officers and all State officials.

We regret, however, that Belize is not yet ready to accept recommendations 9 and 28, which urge the government to ensure that no-one is subject to criminal sanctions for same-sex activity between consenting adults, and to ensure that there is no discrimination on these grounds.

We note Belize's response that "there is no political mandate at this time to amend the relevant legislation", while it also affirms that "the Government is committed to protecting all members of society from discrimination". We understand from this response that the government is willing to keep an open mind to the possibility of legislative reform.

The United Nations Human Rights Committee's ruling in the case *Toonen v. Australia* underlines that laws criminalizing same-sex conduct violate the international rights to privacy and non-discrimination, and impede measures to address HIV and AIDS by driving marginalised communities underground, a position also affirmed by UNAIDS and the High Commissioner for Human Rights.

We therefore note that Belize's reluctance to decriminalize homosexuality at this time is inconsistent with its positive acceptance of recommendation 18, which is "to strengthen activities directed to HIV prevention, as well as against stigma and discrimination of HIV positive people", as well as of recommendation 26 dealing with additional measures to improve the situation of vulnerable groups.

Finally, we welcome Belize's support for the OAS resolution on sexual orientation, gender identity and human rights, adopted by consensus earlier this year, which calls for an end to criminal sanctions against homosexuality and an end to discrimination on grounds of sexual orientation and gender identity. In keeping with that commitment, we urge the government to bring the Criminal Code into conformity with its international obligations, and continue its efforts to protect all persons from discrimination, including on grounds of sexual orientation and gender identity.