

**Canadian HIV/AIDS Legal Network
Statement on the UPR of Seychelles
18th session of the Human Rights Council - 21 September 2011**

Thank you Madame President,

We welcome the confirmation provided by the Seychelles delegation to the UPR Working Group session in May, that article 27 of the Constitution prohibits discrimination on any grounds whatsoever, including sexual orientation.

This position is consistent with Seychelles' support for the joint statement on ending acts of violence and related human rights violations based on sexual orientation and gender identity, which was presented to this Council at its 16th session.

However, we remain concerned that Section 151 of the Criminal Code might be used to penalise same-sex activity between consenting adults. We would therefore have been particularly pleased to see Seychelles accept the recommendations to repeal this provision.

As the UN Human Rights Committee has confirmed, laws criminalising same-sex relations are inconsistent with rights to privacy and non-discrimination, and inhibit measures to address HIV and AIDS by driving marginalised communities underground.

We would hope to welcome Seychelles' commitment to amend current legislation and bring it into line with international standards. This would send a strong message of encouragement to lesbian, gay, bisexual and transgender citizens of Seychelles, who would be able to participate more equally in society.

We welcome the provision in the Employment Act which protects individuals from discrimination based on sexual orientation. Can the delegation indicate what other steps are being taken or planned to advance non-discrimination on the grounds of both sexual orientation and gender identity?

Finally, we recommend that Seychelles consider adopting the *Yogyakarta Principles on the application of international human rights law in relation to sexual orientation and gender identity* as a guide to assist policy making in this area.

Thank you.