

We are pleased to see that St Kitts and Nevis accepts a recommendation to take measures to effectively combat discrimination on all grounds, including on grounds of sexual orientation and gender identity. We recommend the government to explicitly include sexual orientation and gender identity in Chapter II of its constitution.

We are concerned about the fact that St. Kitts and Nevis did not accept recommendations to decriminalize same sex sexual activity between consenting adults and repeal laws that discriminate against lesbian, gay, bisexual and transgender people. Whilst it is encouraging to see that St. Kitts and Nevis is willing to engage the public on this issue through a consultative process, we firmly believe that decriminalization of same sex relations should not be a matter of the majority view of society. Reminding the State of St Kitts and Nevis that the rights of any minority cannot be held hostage by the tyranny of the majority.

To quote High Commissioner Mrs Pillay:

*“Laws criminalizing homosexuality pose a serious threat to the fundamental rights of lesbian, gay, bisexual and transgender individuals, exposing them to the risk of arrest, detention and, in some cases, torture and execution. Commonly, criminal sanctions are accompanied by a raft of other discriminatory measures that affect access to a wide range of rights—civil, political, economic, social and cultural. We also know that criminalization perpetuates stigma and contributes to a climate of homophobia, intolerance and violence.”*

We hold the view that the legal criminalization of consenting adult same-sex activity is a form of discrimination in itself, and results in an inability for citizens to access their social and cultural rights, and logically in a lack of ability to report human rights violations occurring on the basis of sexual orientation or gender identity, as individuals might fear legal interventions against them, instead of protection.

St Kitts and Nevis government is reminded that social and cultural change comes with public awareness and education. Thank You

