

Appendix I: Antigua and Barbuda

General Country Information	
Population	90,000 (2013)
Gained Independence	November 1, 1981
Multilateral Affiliations	Member of the African, Caribbean and Pacific Group of States, Association of Caribbean States, Caribbean Community, Non-Aligned Movement, Organization of Eastern Caribbean States, Organization of American States, United Nations, and World Trade Organization.
Relevant Legislation	<p>Sexual Offences Act of 1995 (Act No. 9)</p> <p>Article 12 - Buggery</p> <p>“(1) A person who commits buggery is guilty of an offence and is liable on conviction to imprisonment -</p> <ul style="list-style-type: none"> (a) for life, if committed by an adult on a minor; (b) for fifteen years, if committed by an adult on another adult; (c) for five years, if committed by a minor. <p>(2) In this section “buggery” means sexual intercourse per anum by a male person with a male person or by a male person with a female person.”</p> <p>Article 15 - Serious Indecency</p> <p>“(1) A person who commits an act of serious indecency on or towards another is guilty of an offence and is liable on conviction to imprisonment -</p> <ul style="list-style-type: none"> (a) for ten years, if committed on or towards a minor under sixteen years of age; (b) for five years, if committed on or towards a person sixteen years of age or more, <p>(2) Subsection (1) does not apply to an act of serious indecency committed in private between -</p> <ul style="list-style-type: none"> (a) a husband and his wife; or (b) a male person and a female person each of whom is sixteen years of age or more; <p>(3) An act of “serious indecency” is an act, other than sexual intercourse (whether natural or unnatural), by a person involving the use of genital organ for the purpose of arousing or gratifying sexual desire.”</p>

Source: Commonwealth Secretariat and Human Dignity Trust Country Reports¹⁵⁸

¹⁵⁸ Information obtained through the Commonwealth Secretariat website, Member countries of the Commonwealth, <http://thecommonwealth.org/member-countries> and Human Dignity Trust “Criminalization of Homosexuality” Country reports for Antigua and Barbuda, Barbados, Dominica, Grenada, St. Kitts and Nevis, St. Lucia, and St. Vincent and the Grenadines. See: http://www.humandignitytrust.org/uploaded/Map/Country_Reports/Antigua_and_Barbuda.pdf; http://www.humandignitytrust.org/uploaded/Map/Country_Reports/Barbados.pdf; http://www.humandignitytrust.org/uploaded/Map/Country_Reports/Dominica.pdf; http://www.humandignitytrust.org/uploaded/Map/Country_Reports/Grenada.pdf; http://www.humandignitytrust.org/uploaded/Map/Country_Reports/Saint_Kitts_and_Nevis.pdf;

Ratification Status	
Treaty	Ratification Date, Accession(a), Succession(d) Date
CAT - Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment	July 19, 1993 (a)
ICCPR - International Covenant on Civil and Political Rights	Not ratified
CEDAW - Convention on the Elimination of All Forms of Discrimination against Women	August 1, 1989 (a)
CERD - International Convention on the Elimination of All Forms of Racial Discrimination	October 25, 1988 (d)
ICESCR - International Covenant on Economic, Social and Cultural Rights	Not ratified
ACHR – American Convention on Human Rights	Not ratified

Source: UNOHCR Treaty Body Database by Country

http://www.humandignitytrust.org/uploaded/Map/Country_Reports/Saint_Lucia.pdf;
http://www.humandignitytrust.org/uploaded/Map/Country_Reports/Saint_Vincent_and_the_Grenadines.pdf

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UPR Cycle	SOGI Recommendations	State response
1st cycle UPR October 2011	Antigua and Barbuda received eight recommendations directly related to sexual orientation and gender identity: six dealt with decriminalization and public awareness campaigns on discrimination and were rejected. The other two, which the government accepted, urged it to condemn acts of violence based on the real or perceived sexual orientation or gender identity of the victim or the defense of related rights, and called on it to adopt policies and initiatives to address discrimination. ¹⁵⁹	The government’s final response to its 1st cycle UPR, as recorded in the Working Group Report, states: “There was a certain amount of public acceptance of homosexual conduct, although generally in a silent way. Antigua and Barbuda, however, did not have a political mandate with respect to changing the law, notwithstanding the fact that enforcement of those laws was not actually sought. The Government would continue its efforts on education and information to ensure that the public opinion would in time adopt the international standards.” ¹⁶⁰
2nd cycle UPR May 2016	The government received 13 recommendations directly related to SOGI and rejected 12 of them: 10 of the latter dealt specifically with decriminalization and two dealt with SOGI discrimination. The sole recommendation accepted by the government was a general statement on discrimination. ¹⁶¹	Rejecting almost all of the recommendations, the government argued that public opinion would need time to change before the government could address its “inherited” criminalization laws due to the “moral and religious” nature of Antiguan society. However, it acknowledged that these laws “had to change at some point if the Government was serious about human rights.” ¹⁶²

¹⁵⁹ Report of the Working Group on the Universal Periodic Review: Antigua and Barbuda, A/HRC/19/5, December 14, 2011, https://www.upr-info.org/sites/default/files/document/antigua_and_barbuda/session_12_-_october_2011/a_hrc_19_5_antigua-and-barbuda_e.pdf (accessed September 26, 2017). See also ILGA, “State-Sponsored Homophobia: A World Survey of Sexual Orientation Laws: Criminalisation, Protection and Recognition,” May 2017, http://ilga.org/downloads/2017/ILGA_State_Sponsored_Homophobia_2017_WEB.pdf (accessed September 26, 2017) (hereafter referred to as “ILGA Report 2017”).

¹⁶⁰ Report of the Working Group on the Universal Periodic Review: Antigua and Barbuda, A/HRC/19/5, December 14, 2011, https://www.upr-info.org/sites/default/files/document/antigua_and_barbuda/session_12_-_october_2011/a_hrc_19_5_antigua-and-barbuda_e.pdf (accessed September 26, 2017), para. 48.

¹⁶¹ Report of the Working Group on the Universal Periodic Review: Antigua and Barbuda, A/HRC/WG.6/25/L.10, May 20, 2016, https://www.upr-info.org/sites/default/files/document/antigua_and_barbuda/session_25_-_may_2016/a-hrc-wg.6-25-l.10_o.pdf (accessed September 26, 2017). See ILGA Report 2017, pp. 108.

¹⁶² Report of the Working Group on the Universal Periodic Review: Antigua and Barbuda, A/HRC/WG.6/25/L.10, May 20, 2016, https://www.upr-info.org/sites/default/files/document/antigua_and_barbuda/session_25_-_may_2016/a-hrc-wg.6-25-l.10_o.pdf (accessed September 26, 2017), para. 39 & 53.

Appendix II: Barbados

General Country Information	
Population	285,000 (2013)
Gained Independence	November 30, 1966
Multilateral Affiliations	Member of the African, Caribbean and Pacific Group of States, Association of Caribbean States, Caribbean Community, Non-Aligned Movement, Organization of American States, United Nations and World Trade Organization.
Relevant Legislation	<p>Sexual Offences Act 1992, Chapter 154</p> <p>Buggery - Section 9 “Any person who commits buggery is guilty of an offence and is liable on conviction on indictment to imprisonment for life.”</p> <p>Serious Indecency - Section 12 “(1) A person who commits an act of serious indecency on or towards another or incites another to commit that act with the person or with another person is guilty of an offence and, if committed on or towards a person 16 years of age or more or if the person incited is of 16 years of age or more, is liable on conviction to imprisonment for a term of 10 years. (2) A person who commits an act of serious indecency with or towards a child under the age of 16 or incites the child under that age to such an act with him or another, is guilty of an offence and is liable on conviction to imprisonment for a term of 15 years. (3) An act of “serious indecency” is an act, whether natural or unnatural by a person involving the use of the genital organs for the purpose of arousing or gratifying sexual desire.”</p>

Source: Commonwealth Secretariat and HRW Map of Countries with Anti-LGBT Laws

Ratification Status of Barbados	
Treaty	Ratification Date, Accession(a), Succession(d) Date
ICCPR - International Covenant on Civil and Political Rights	January 5, 1973 (a)
CEDAW - Convention on the Elimination of All Forms of Discrimination against Women	October 16, 1980
CERD - International Convention on the Elimination of All Forms of Racial Discrimination	November 8, 1972 (a)
ICESCR - International Covenant on Economic, Social and Cultural Rights	January 5, 1973 (a)
CRC - Convention on the Rights of the Child	October 9, 1990

Ratification Status of Barbados

Treaty	Ratification Date, Accession(a), Succession(d) Date
CRPD - Convention on the Rights of Persons with Disabilities	February 27, 2013
ACHR – American Convention on Human Rights	November 5, 1981

Source: UNOHCR Treaty Body Database by Country

UN Universal Periodic Review

UPR Cycle	SOGI Recommendations	State response
1st cycle UPR December 2008	Barbados received seven recommendations pertaining to SOGI, most of which called for decriminalization of same-sex sexual acts as well as the introduction of non-discrimination legislation. ¹⁶³	The government rejected all seven recommendations, but argued that its Constitution protects the “fundamental rights and freedoms” of all individuals without mention of concerns regarding gender identity. ¹⁶⁴
2nd cycle UPR January 2013	Barbados received thirteen recommendations pertaining to SOGI, of which it accepted three, accepted one in part, and ‘noted’ nine. The three accepted recommendations were general calls for the government to protect “all human rights,” and provide human rights education, including on matters of SOGI. The recommendation accepted in part pertained to discrimination, but the state also ‘noted’ two similar ones. The remaining seven recommendations that were ‘noted’ had urged decriminalization of same-sex sexual acts. ¹⁶⁵	The government defended its rejection of the seven decriminalization recommendations by arguing that “persons who engaged in same-sex relationships were not prosecuted, since without a complaint there could be no successful prosecution of such acts.” The state further argued that as a democracy it was “hesitant to go against the wishes of the people” on a matter about which there was “no consensus.” Still, the government affirmed that “it was committed to ensuring that the rights of all persons were protected from harm.” ¹⁶⁶

¹⁶³ Report of the Working Group on the Universal Periodic Review: Barbados, A/HRC/WG.6/3/L.5, December 5, 2008, Advance Unedited Version, https://www.upr-info.org/sites/default/files/document/barbados/session_03_-_december_2008/a_hrc_wg6_3_l5_barbados.pdf (accessed September 26, 2017).

¹⁶⁴ Ibid., para. 14.

¹⁶⁵ Report of the Working Group on the Universal Periodic Review: Barbados, A/HRC/23/11, March 12, 2013, https://www.upr-info.org/sites/default/files/document/barbados/session_15_-_january_2013/ahrc2311e.pdf (accessed [date]). See ILGA Report 2017, p. 108/109.

¹⁶⁶ Ibid., paras. 21, 22.

Appendix III: Dominica

General Country Information	
Population	72,000 (2013)
Gained Independence	November 3, 1978
Multilateral Affiliations	Member of the African, Caribbean and Pacific Group of States, Association of Caribbean States, Caribbean Community, Non- Aligned Movement, Organization internationale de la Francophonie, Organization of Eastern Caribbean States, Organization of American States, United Nations and World Trade Organization.
Relevant Legislation	<p>Sexual Offences Act 1998</p> <p>Section 14 - Gross Indecency</p> <p>“(1) Any person who commits an act of gross indecency with another person is guilty of an offence and liable on conviction to imprisonment for five years.</p> <p>(2) Subsection (1) does not apply to an act of gross indecency committed in private between an adult male person and an adult female person, both of whom consent.</p> <p>(3) For the purposes of subsection (2) –an act shall be deemed not to have been committed in private if it is committed in a public place; and a person shall be deemed not to consent to the commission of such an act if – (i) the consent is extorted by force, threats or fear of bodily harm or is obtained by false and fraudulent representations as to the nature of the act; (ii) the consent is induced by the application or administration of any drug, matter or thing with intent to intoxicate or stupefy the person; or (iii) that person is, and the other party to the act knows or has good reason to believe that the person is suffering from a mental disorder.</p> <p>(4) In this section “gross indecency” is an act other than sexual intercourse (whether natural or unnatural) by a person involving the use of genital organs for the purpose of arousing or gratifying sexual desire.”</p> <p>Section 16 - Buggery</p> <p>“(1) A person who commits buggery is guilty of an offence and liable on conviction to imprisonment for – (a) twenty-five years, if committed by an adult on a minor; (b) ten years, if committed by an adult on another adult; (c) or five years, if committed by a minor; and, if the Court thinks it fit, the Court may order that the convicted person be admitted to a psychiatric hospital for treatment.</p> <p>(2) Any person who attempts to commit the offence of buggery, or is guilty of an assault with the intent to commit the same is guilty of an offence and liable to imprisonment for four years and, if the Court thinks it fit, the Court may order that the convicted person be admitted to the psychiatric hospital for treatment.</p> <p>(3) In this section “buggery” means sexual intercourse per anum by a male person with a male person or by a male person with a female person.”</p>

Source: Commonwealth Secretariat and HRW Map of Countries with Anti-LGBT Laws

Ratification Status for Dominica

Treaty	Ratification Date, Accession(a), Succession(d) Date
ICCPR - International Covenant on Civil and Political Rights	June 17, 1993 (a)
CEDAW - Convention on the Elimination of All Forms of Discrimination against Women	September 15, 1980
ICESCR - International Covenant on Economic, Social and Cultural Rights	June 17, 1993 (a)
CRC - Convention on the Rights of the Child	March 13, 1991
CRPD - Convention on the Rights of Persons with Disabilities	October 1, 2012
ACHR – American Convention on Human Rights	June 3, 1993

Source: UNOHCHR Treaty Body Database by Country

UN Universal Periodic Review

UPR Cycle	SOGI Recommendations	State response
1st cycle UPR January 2010	State received seven recommendations pertaining to SOGI, including recommendations to implement comprehensive human rights education and “undertake measures to promote tolerance and non-discrimination on grounds of sexual orientation or identity” by utilizing the Yogyakarta Principles. ¹⁶⁷	State did not accept any of the seven recommendations including calls for the decriminalization of same-sex sexual acts and institution of non-discrimination principles. The state also ‘noted’ several recommendations regarding its HIV/AIDS program, including calls for legislation banning discrimination on the basis of HIV status. In response, Dominica conceded that existing law is “discriminatory” and that there is a “certain element of discrimination in the society.” ¹⁶⁸
2nd cycle UPR May 2014	State received twelve recommendations regarding SOGI which called for decriminalization and implementation of non-discrimination principles. The Working Group also expressed concern about the protection of human rights defenders working on SOGI issues. ¹⁶⁹	State argued that it did not “prevent defenders of any cause from exercising their rights.” Rejecting the recommendations for decriminalization, the state argued that nobody had been charged under the law and that “the Government was not prepared to introduce any legislation to Parliament decriminalizing sexual relations between adults of the same sex.” ¹⁷⁰

¹⁶⁷ Report of the Working Group on the Universal Periodic Review: Dominica, A/HRC/13/12, January 4, 2010, https://www.upr-info.org/sites/default/files/document/dominica/session_06_-_november_2009/a_hrc_13_12_dominica_e.pdf (accessed September 26, 2017). See ILGA Report 2017, pp. 110.

¹⁶⁸ ILGA Report 2017, pp. 110.

¹⁶⁹ Report of the Working Group on the Universal Periodic Review: Dominica, A/HRC/27/9, June 26, 2015, https://www.upr-info.org/sites/default/files/document/dominica/session_19_-_april_2014/a_hrc_27_9_e.pdf (accessed September 26, 2017). See ILGA Report 2017, pp. 110-111.

¹⁷⁰ ILGA Report 2017, pp. 110-111.

Appendix IV: Grenada

General Country Information	
Population	106,000 (2013)
Gained Independence	February 7, 1974
Multilateral Affiliations	Member of the African, Caribbean and Pacific Group of States, Association of Caribbean States, Caribbean Community, Non-Aligned Movement, Organization of Eastern Caribbean States, Organization of American States, United Nations and World Trade Organization.
Relevant Legislation	Criminal Code of 1987 as amended in 1993 Article 430. “Whoever publicly and willfully commits any grossly indecent act is guilty of a misdemeanor.” Article 431. “If any two persons are guilty of unnatural connexion, or if any person is guilty of unnatural connection with any animal, every such person shall be liable to imprisonment for ten years”.

Source: Commonwealth Secretariat and HRW Map of Countries with Anti-LGBT Laws

Ratification Status	
Treaty	Ratification Date, Accession(a), Succession(d) Date
ICCPR - International Covenant on Civil and Political Rights	September 6, 1991 (a)
CEDAW - Convention on the Elimination of All Forms of Discrimination against Women	August 30, 1990
CERD - International Convention on the Elimination of All Forms of Racial Discrimination	May 10, 2013
ICESCR - International Covenant on Economic, Social and Cultural Rights	September 6, 1991 (a)
CRC - Convention on the Rights of the Child	November 5, 1990
CRPD - Convention on the Rights of Persons with Disabilities	August 27, 2014
ACHR – American Convention on Human Rights	July 14, 1978

Source: UNOHCHR Treaty Body Database by Country

UN Universal Periodic Review

UPR Cycle	SOGI Recommendations	State response
1st cycle UPR May 2010	Grenada received five recommendations to decriminalize same-sex sexual relations, none of which it accepted. ¹⁷¹	The government confirmed that its law criminalizing same-sex sexual relations remained in effect and might be considered “discriminatory,” but said that repeal would require a “growing tolerance on the part of the people” before the government would take action. The state argued that there was no such discrimination “in the provision of health and other services in that regard.” ¹⁷²
2nd cycle UPR January 2015	Grenada received sixteen recommendations regarding SOGI. Most of the recommendations urged Grenada to decriminalize same-sex sexual relations, with additional calls for anti-discrimination education programs and legislation. ¹⁷³	None of the sixteen recommendations were accepted, although the government addressed the matter at length in its response. The government said that the protection of LGBTI persons was considered as part of its constitutional reform process, but that ultimately its reform committee decided not to move forward with the issue because “it was obvious that there was not much support for that issue nationally.” However, the state noted that the committee recommended legislation on workplace sexual orientation discrimination. ¹⁷⁴

¹⁷¹ Report of the Working Group on the Universal Periodic Review: Grenada, A/HRC/15/12, June 16, 2010, https://www.upr-info.org/sites/default/files/document/grenada/session_08_-_may_2010/a_hrc_15_12_e.pdf. See ILGA Report 2017, pp. 111-112.

¹⁷² Report of the Working Group on the Universal Periodic Review: Grenada, A/HRC/15/12, June 16, 2010, https://www.upr-info.org/sites/default/files/document/grenada/session_08_-_may_2010/a_hrc_15_12_e.pdf, para. 26.

¹⁷³ Report of the Working Group on the Universal Periodic Review: Grenada, A/HRC/29/14, April 9, 2015, https://www.upr-info.org/sites/default/files/document/grenada/session_21_-_january_2015/a_hrc_29_14_e.pdf. See ILGA Report 2017, pp. 112.

¹⁷⁴ Report of the Working Group on the Universal Periodic Review: Grenada, A/HRC/29/14, April 9, 2015, https://www.upr-info.org/sites/default/files/document/grenada/session_21_-_january_2015/a_hrc_29_14_e.pdf, para. 35.

Appendix V: St. Kitts and Nevis

General Country Information	
Population	54,000 (2013)
Gained Independence	September 19, 1983
Multilateral Affiliations	Member of the African, Caribbean and Pacific Group of States, Association of Caribbean States, Caribbean Community, Non-Aligned Movement, Organization of Eastern Caribbean States, Organization of American States, United Nations and World Trade Organization.
Relevant Legislation	<p>Offences Against the Person Act Revised in 2002</p> <p>Part XII. Unnatural Offences</p> <p>Section 56 - Sodomy and Bestiality</p> <p>“Any person who is convicted of the abominable crime of buggery, committed either with mankind or with any animal, shall be liable to be imprisoned for a term not exceeding ten years, with or without hard labor”.</p> <p>Section 57 - Attempt to Commit an Infamous Crime</p> <p>“Any person who attempts to commit the said abominable crime, or is guilty of any assault with intent to commit the same, or of any indecent assault upon any male person, commits a misdemeanor, and, on conviction, shall be liable to be imprisoned for a term not exceeding four years, with or without hard labor”. [Note: “any indecent assault upon any male person” is undefined and thus subject to arbitrary interpretation, which could potentially encompass any behavior perceived as a homosexual advance.]</p>

Source: Commonwealth Secretariat and HRW Map of Countries with Anti-LGBT Laws

Ratification Status	
Treaty	Ratification Date, Accession(a), Succession(d) Date
ICCPR - International Covenant on Civil and Political Rights	Not ratified
CEDAW - Convention on the Elimination of All Forms of Discrimination against Women	April 25, 1985 (a)
CERD - International Convention on the Elimination of All Forms of Racial Discrimination	October 13, 2006 (a)
ICESCR - International Covenant on Economic, Social and Cultural Rights	Not ratified
CRC - Convention on the Rights of the Child	July 24, 1990
ACHR – American Convention on Human Rights	Not ratified

Source: UNOHCHR Treaty Body Database by Country

UN Universal Periodic Review

UPR Cycle	SOGI Recommendations	State response
1st cycle UPR January 2011	St. Kitts and Nevis received eight recommendations regarding SOGI. The majority of the recommendations called for decriminalization and the incorporation of non-discrimination provisions in legislation. ¹⁷⁵	The government did not accept any of the eight recommendations but argued that, although the law was still in effect, “in terms of the society at large, such persons did enjoy the same rights and privileges as everyone else.” The government also said that HIV/AIDS-related care was openly accessible to MSM. ¹⁷⁶
2nd cycle UPR November 2015	St. Kitts and Nevis received eight recommendations regarding SOGI which again addressed non-discrimination provisions and decriminalization. Two additional general recommendations called for an end to all forms of discrimination to all the “full enjoyment of all human rights by every member of society.” ¹⁷⁷	The government did not accept any of the SOGI recommendations, including the general non-discrimination statements. The government responded by stating there was “no formal or positive legal discrimination against persons” in the country, and that the government had received no reports of such violence or discrimination. ¹⁷⁸

¹⁷⁵ Report of the Working Group on the Universal Periodic Review: St. Kitts and Nevis, A/HRC/WG.6/10/L.10, February 3, 2011, Advanced Unedited Version, https://www.uprinfo.org/sites/default/files/document/saint_kitts_and_nevis/session_10_-_january_2011/saint_kitts-a_hrc_wg.6_10_l.10-eng.pdf. See ILGA Report 2017, pp. 116-117.

¹⁷⁶ Report of the Working Group on the Universal Periodic Review: St. Kitts and Nevis, A/HRC/WG.6/10/L.10, February 3, 2011, Advanced Unedited Version, https://www.uprinfo.org/sites/default/files/document/saint_kitts_and_nevis/session_10_-_january_2011/saint_kitts-a_hrc_wg.6_10_l.10-eng.pdf, para. 35. See ILGA Report 2017, pp. 116.

¹⁷⁷ Report of the Working Group on the Universal Periodic Review: St. Kitts and Nevis, A/HRC/31/16, November 20, 2015, Unedited Version, https://www.upr-info.org/sites/default/files/document/saint_kitts_and_nevis/session_23_-_november_2015/a_hrc_31_16.pdf. See ILGA Report 2017, pp. 116.

¹⁷⁸ Report of the Working Group on the Universal Periodic Review: St. Kitts and Nevis, A/HRC/31/16, November 20, 2015, Unedited Version, https://www.upr-info.org/sites/default/files/document/saint_kitts_and_nevis/session_23_-_november_2015/a_hrc_31_16.pdf, para. 16. See ILGA Report 2017, pp. 116.

Appendix VI: St. Lucia

General Country Information	
Population	182,000 (2013)
Gained Independence	February 22, 1979
International Relations	Member of the African, Caribbean and Pacific Group of States, Association of Caribbean States, Caribbean Community, Non-Aligned Movement, Organisation internationale de la Francophonie, Organization of Eastern Caribbean States, Organization of American States, United Nations and World Trade Organization.
Relevant Legislation	<p>Criminal Code, No. 9 of 2004 (Effective 1 January 2005)</p> <p>Section 132 - Gross Indecency</p> <p>“(1) Any person who commits an act of gross indecency with another person commits an offence and is liable on conviction on indictment to imprisonment for ten years or on summary conviction to five years.</p> <p>(2) Subsection (1) does not apply to an act of gross indecency committed in private between an adult male person and an adult female person, both of whom consent.</p> <p>(3) For the purposes of subsection (2) –</p> <p>(a) an act shall be deemed not to have been committed in private if it is committed in a public place; and</p> <p>(b) a person shall be deemed not to consent to the commission of such an act if –</p> <p style="padding-left: 40px;">(i) the consent is extorted by force, threats or fear of bodily harm or is obtained by false and fraudulent representations as to the nature of the act;</p> <p style="padding-left: 40px;">(ii) the consent is induced by the application or administration of any drug, matter or thing with intent to intoxicate or stupefy the person; or</p> <p style="padding-left: 40px;">(iii) that person is, and the other party to the act knows or has good reason to believe that the person is suffering from a mental disorder.</p> <p>(4) In this section “gross indecency” is an act other than sexual intercourse (whether natural or unnatural) by a person involving the use of the genital organs for the purpose of arousing or gratifying sexual desire.”</p> <p>Section 133 - Buggery</p> <p>“(1) A person who commits buggery commits an offence and is liable on conviction on indictment to imprisonment for –</p> <p style="padding-left: 40px;">(a) life, if committed with force and without the consent of the other person;</p> <p style="padding-left: 40px;">(b) ten years, in any other case.</p> <p>(2) Any person who attempts to commit buggery, or commits an assault with intent to commit buggery, commits an offence and is liable to imprisonment for five years.</p> <p>(3) In this section “buggery” means sexual intercourse per anus by a male person with another male person.”</p>

Source: Commonwealth Secretariat and HRW Map of Countries with Anti-LGBT Laws

Ratification Status for Saint Lucia

Treaty	Ratification Date, Accession(a), Succession(d) Date
ICCPR - International Covenant on Civil and Political Rights	Not ratified
CEDAW - Convention on the Elimination of All Forms of Discrimination against Women	October 8, 1982 (a)
CERD - International Convention on the Elimination of All Forms of Racial Discrimination	February 14, 1990 (d)
ICESCR - International Covenant on Economic, Social and Cultural Rights	Not ratified
CRC - Convention on the Rights of the Child	June 16, 1993
ACHR – American Convention on Human Rights	Not ratified

Source: UNOHCR Treaty Body Database by Country

UN Universal Periodic Review

UPR Cycle	SOGI Recommendations	State response
1st cycle UPR January 2011	St. Lucia received eight recommendations regarding SOGI. Most of the recommendations called for decriminalization of same-sex sexual relations and non-discrimination, one called for thorough investigations into acts of violence committed against individuals on the basis of SOGI, and another called for adequate protection of human rights defenders who work on SOGI-related issues. ¹⁷⁹	The government rejected or ‘noted’ the six recommendations which called for decriminalization and non-discrimination. State accepted the two recommendations calling for thorough investigations and protection of human rights defenders, respectively. The delegation emphasized that the Constitution “does not allow for discrimination against anyone,” but questioned the role of the state in “advocacy and changes in attitude of certain sectors of society” that could prompt decriminalization. ¹⁸⁰
2nd UPR November 2015	St. Lucia received thirteen recommendations regarding SOGI. Ten of these called for the decriminalization of same-sex sexual acts while three were related to educational programs and unspecific commitments to fight against discrimination based on SOGI. ¹⁸¹	The government rejected the ten recommendations calling for decriminalization and non-discrimination legislation, and it accepted recommendations pertaining to educational programs. The government explained that it had considered enacting non-discrimination legislation and had outlawed workplace sexual orientation discrimination. The delegation stressed that the Constitution protects all individuals including LGBTI people, and that such individuals are not barred from judicial redress. ¹⁸²

¹⁷⁹ Report of the Working group on the Universal Periodic Review: St Lucia, A/HRC/17/6, March 11, 2011, https://www.upr-info.org/sites/default/files/document/saint_lucia/session_10_-_january_2011/a_hrc_17_6_saint_lucia_e.pdf. See ILGA Report 2017, pp. 117-118.

¹⁸⁰ Report of the Working group on the Universal Periodic Review: St Lucia, A/HRC/17/6, March 11, 2011, https://www.upr-info.org/sites/default/files/document/saint_lucia/session_10_-_january_2011/a_hrc_17_6_saint_lucia_e.pdf, para. 65. See ILGA Report 2017, pp. 117-118.

¹⁸¹ Report of the Working Group on the Universal Periodic Review: St Lucia, A/HRC/31/10, December 15, 2015, https://www.upr-info.org/sites/default/files/document/saint_lucia/session_23_-_november_2015/a_hrc_31_10.pdf. See ILGA Report 2017, pp. 117-118.

¹⁸² Report of the Working Group on the Universal Periodic Review: St Lucia, A/HRC/31/10, December 15, 2015, https://www.upr-info.org/sites/default/files/document/saint_lucia/session_23_-_november_2015/a_hrc_31_10.pdf, paras. 18 & 19.

Appendix VII: St. Vincent and the Grenadines

General Country Information	
Population	109,000 (2013)
Gained Independence	October 27, 1979
International Relations	Member of the African, Caribbean and Pacific Group of States, Association of Caribbean States, Caribbean Community, Non-Aligned Movement, Organization of Eastern Caribbean States, Organization of American States, United Nations and World Trade Organization.
Relevant Legislation	<p>Criminal Code, 1990 Edition</p> <p>Section 146 - Buggery</p> <p>“Any person who –</p> <ul style="list-style-type: none"> (a) commits buggery with any other person; (b) commits buggery with an animal; or (c) permits any person to commit buggery with him or her; is guilty of an offence and liable to imprisonment for ten years.” <p>Section 148 - Gross Indecency</p> <p>“Any person, who in public or private, commits an act of gross indecency with another person of the same sex, or procures or attempts to procure another person of the same sex to commit an act of gross indecency with him or her, is guilty of an offence and liable to imprisonment for five years.”</p>

Source: Commonwealth Secretariat and HRW Map of Countries with Anti-LGBT Laws

Ratification Status for Saint Vincent and the Grenadines

Treaty	Ratification Date, Accession(a), Succession(d) Date
CAT - Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment	August 1, 2001 (a)
ICCPR - International Covenant on Civil and Political Rights	November 9, 1981 (a)
CEDAW - Convention on the Elimination of All Forms of Discrimination against Women	August 4, 1981 (a)
CERD - International Convention on the Elimination of All Forms of Racial Discrimination	November 9, 1981 (a)
ICESCR - International Covenant on Economic, Social and Cultural Rights	November 9, 1981 (a)
CMW - International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families	October 29, 2010 (a)
CRC - Convention on the Rights of the Child	October 26, 1993
CRPD - Convention on the Rights of Persons with Disabilities	October 29, 2010 (a)
ACHR – American Convention on Human Rights	Not ratified

Source: UNOHCR Treaty Body Database by Country

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UPR Cycle	SOGI Recommendations	State response
1st cycle UPR May 2011	St. Vincent and the Grenadines received eleven recommendations related to SOGI, all of which called for decriminalization of same-sex sexual relations and non-discrimination. ¹⁸³	The government rejected all 11 recommendations, arguing that “in the context of the moral, societal and cultural make-up of the State,” there was no impetus to repeal the discriminatory laws. ¹⁸⁴
2nd cycle UPR May 2016	St. Vincent and the Grenadines received eight recommendations related to SOGI calling for decriminalization and non-discrimination. ¹⁸⁵	Again, the government rejected all of the recommendations and argued that the discriminatory laws had public support within the country’s “Christian society,” although some social change was acknowledged particularly among youth. The delegation claimed that no imprisonments had been made under the discriminatory laws. ¹⁸⁶

¹⁸³ Report of the Working Group on the Universal Periodic Review: St. Vincent and the Grenadines, A/HRC/WG.6/11/L13, May 13, 2011, Unedited Version,

https://www.uprinfo.org/sites/default/files/document/saint_vincent_and_the_grenadines/session_11_-_may_2011/a_hrc_wg.6_11_l13_saint_vincent.pdf. See ILGA Report 2017, pp. 118-119.

¹⁸⁴ Report of the Working Group on the Universal Periodic Review: St. Vincent and the Grenadines, A/HRC/WG.6/11/L13, May 13, 2011, Unedited Version,

https://www.uprinfo.org/sites/default/files/document/saint_vincent_and_the_grenadines/session_11_-_may_2011/a_hrc_wg.6_11_l13_saint_vincent.pdf, para. 29. See ILGA Report 2017, pp. 118-119. [JS: same problem]

¹⁸⁵ Report of the Working Group on the Universal Periodic Review: St. Vincent and the Grenadines, A/HRC/WG.6/25/L.2, May 18, 2016, Unedited Version,

https://www.uprinfo.org/sites/default/files/document/saint_vincent_and_the_grenadines/session_25_-_may_2016/a-hrc-wg.6-25-l.2.pdf. See ILGA Report 2017, pp. 118-119.

¹⁸⁶ Report of the Working Group on the Universal Periodic Review: St. Vincent and the Grenadines, A/HRC/WG.6/25/L.2, May 18, 2016, Unedited Version,

https://www.uprinfo.org/sites/default/files/document/saint_vincent_and_the_grenadines/session_25_-_may_2016/a-hrc-wg.6-25-l.2.pdf, para. 44. [JS: same problem] See ILGA Report 2017, pp. 118-119.