

 <span style="float: right;"><b>Saint Vincent and the Grenadines</b></span>		
<p><b>National Law:</b></p> <p><i>Criminal Code (revised 1990)</i><sup>1</sup></p> <ul style="list-style-type: none"> <li>- <b>S146:</b> Buggery<sup>2</sup></li> <li>- <b>S148:</b> Gross Indecency<sup>3</sup></li> </ul>	<p><b>Maximum Penalties:</b></p> <ul style="list-style-type: none"> <li>- 10 years' imprisonment</li> <li>- 5 years' imprisonment</li> </ul>	<p><u>Treaty Ratification</u></p> <p>CAT</p> <p>CEDAW</p> <p>CRC</p> <p>ICCPR</p> <p>ICCPR OP</p> <p>ICESCR</p>
<p>The law is equally applicable to both men and women.</p>		
<p><b>Enforcement</b></p>	<ul style="list-style-type: none"> <li>- <b>2014:</b> The US Human Rights Country Report notes that the country's laws which criminalise consensual same-sex sexual relations are rarely enforced.<sup>4</sup></li> </ul>	
<p><b>Statements by Public Figures</b></p>	<ul style="list-style-type: none"> <li>- <b>March 2015:</b> Opposition politician and spokesperson on gender issues, Senator Vynnette Frederick, of the New Democratic Party, has reportedly told her party that Saint Vincent and the Grenadines needs to start talking about issues of sexuality. Senator Frederick explained that <i>"We feel what is going to happen is that the international community will force the Caribbean to confront the issue of our attitude toward persons who are homosexual."</i><sup>5</sup></li> <li>- <b>July 2014:</b> Prime Minister Ralph Gonsalves is reported to have cautioned against merging the fight against HIV/AIDs with a gay rights agenda. Following the CARICOM Summit during which the PANCAP HIV/AIDs Justice For All programme was discussed, Prime Minister Gonsalves said <i>'We must not seek to transform the fight against HIV and AIDs into an agenda for gay rights...I made the point that there is a legitimate discussion to be had, a mature discussion to be had in the Caribbean and anywhere else on gay rights and I have said, in my view, the churches, the NGOs, the press, there are a number of entities that are well-placed to fuel and have that mature conversation...But we must not allow the fact that a lot of funding for PANCAP, which comes out of certain agencies in Europe and the United States, to be manipulated to advance a gay right agenda as distinct from fighting the issue of HIV and AIDs.'</i><sup>6</sup></li> <li>- <b>February 2014:</b> The Caribbean Alliance for Equality wrote to the Prime Minister of</li> </ul>	

	<p>Saint Vincent and the Grenadines in February 2014 asking the Prime Minister what his position is on decriminalizing homosexuality, and what documented steps he or his administration have taken to remove the laws which criminalise consensual same-sex sexual activity.<sup>7</sup></p> <ul style="list-style-type: none"> <li>- <b>13 September 2013:</b> The Prime Minister of Saint Vincent and the Grenadines, Dr. Ralph Gonsalves, stated that it was not for politicians to raise the issue of decriminalisation: <i>'Now this is not a matter on which a politician should be pronouncing upfront, given the nature of this social issue, but for civic leaders to talk about, for newspapers to write and talk about and for them to raise it.'</i><sup>8</sup></li> </ul>
<p>Persecution and Discrimination</p>	<ul style="list-style-type: none"> <li>- Due to a lack of dedicated LGBTI organisations operating in Saint Vincent, reports of persecution and discrimination are small.</li> <li>- <b>2014:</b> The US Country Report notes that Anecdotal evidence suggested there was social discrimination against LGBT persons in the deeply conservative society, although local observers believed such attitudes of intolerance were slowly improving. Members of professional and business classes were more inclined to conceal their sexual orientation.<sup>9</sup></li> <li>- <b>11 March 2013:</b> The report of the Immigration and Refugee Board of Canada contains statements made by the Chairman of the Saint Vincent and Grenadines chapter of Caribbean HIV/AIDS Partnership, who spoke on the issue of violence in the country: <i>'[I]ncidences [sic] of violence due to homosexuality since 2010 are relatively low, mainly result in minor injuries, and tend to be related to personal disputes rather than random violence.'</i><sup>10</sup></li> </ul>
<p>Legislative News</p>	<ul style="list-style-type: none"> <li>- <b>5 June 2014:</b> The country noted it could not join the consensus on the approval of an OAS resolution on sexual orientation, finding that: <i>'Saint Vincent and the Grenadines is of the view that the term "gender expression" is one that is not thoroughly defined internationally or that has international acceptance.'</i><sup>11</sup></li> <li>- <b>2011:</b> (UPR) Saint Vincent and The Grenadines rejected recommendations to decriminalise consensual same-sex sexual relations: <i>'The Government of Saint Vincent and the Grenadines cannot accept at this time this recommendation to repeal provisions against lesbian and gays, as the public sentiment favours the retention of provisions which criminalize buggary and sexual relations between adults of the same sex... Moreover, the Government wishes to inform that there are no discriminatory laws against gays, lesbian, bi-sexual and transgender people in Saint Vincent and the Grenadines as the constitution prohibits discrimination in all forms related to the enjoyment of people's rights and freedoms. In addition, it must be noted that prosecution of public indecency is not limited to homosexual acts but</i></li> </ul>

also relates to heterosexual acts between consenting adults.’<sup>12</sup>

<sup>1</sup> Text of the law excerpted at: <http://www.refworld.org/docid/5188f6074.html>

<sup>2</sup> *Criminal Code (revised 1990)*, s.146: “Any person who commits buggery with any other person; commits buggery with an animal; or permits any person to commit buggery with him or her; is guilty of an offence and liable to imprisonment for ten years.”

<sup>3</sup> *Criminal Code (revised 1990)*, s.148: “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.”

<sup>4</sup> Bureau of Democracy, Human Rights and Labor, *Country Reports on Human Rights Practices for 2014: Saint Vincent and the Grenadines* (US Department of State 2014)

<<http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2014&dliid=236716>> accessed on 27 August 2015

<sup>5</sup> I-Witness News, *Senator wants conversation on same-sex relationships* (25 March 2015)

<<http://www.iwnsvg.com/2015/03/25/senator-wants-conversation-on-same-sex-relationships/>> accessed on 27 August 2015

<sup>6</sup> I-Witness News, *Gonsalves warns against mixing fight against HIV and gay rights agenda* (15 July 2014) <<http://www.iwnsvg.com/2014/07/15/gonsalves-warns-against-mixing-fight-against-hiv-and-gay-rights-agenda/>> accessed on 27 August 2015

<sup>7</sup> Caribbean Alliance for Equality, *Email to the Prime Minister of St. Vincent and the Grenadines* (26 February 2014) <<http://caribbeanallianceforequality.org/email-to-prime-minister-of-st-vincent-and-the-grenadines/>> accessed on 27 August 2015

<sup>8</sup> Witness News, *On the decriminalising of homosexuality, Gonsalves willing to stand back* (I Witness News 12 September 2013) <<http://www.iwnsvg.com/2013/09/12/on-the-decriminalising-of-homosexuality-gonsalves-willing-to-stand-back/>> accessed on 19 July 2014

<sup>9</sup> Bureau of Democracy, Human Rights and Labor, *Country Reports on Human Rights Practices for 2014: Saint Vincent and the Grenadines*, (US Department of State 2014)

<<http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2014&dliid=236716>> accessed on 27 August 2015

<sup>10</sup> Canada: Immigration and Refugee Board of Canada, *Saint Vincent and the Grenadines: Situation and treatment of homosexuals, including legislation and societal attitudes; availability of state protection and support services (2010-February 2013)* (11 March 2013), <<http://www.refworld.org/docid/5188f6074.html>> accessed on 19 July 2014

<sup>11</sup> OAS General Assembly, *Draft Resolution Human Rights, Sexual Orientation, and Gender Identity and Expression* (5 June 2014) AG/CG/doc.12/14 rev. 1

<sup>12</sup> UNHRC, *Report of the Working Group on the Universal Periodic Review* (22 September 2011) UN Doc A/HRC/18/15/Add.1