

**Resolution on Decriminalisation of Sexual Orientation****16<sup>th</sup> Commonwealth Law Conference Hong Kong SAR 5<sup>th</sup>-9<sup>th</sup> April 2009**

**Considering** that 41 of the 53 Commonwealth jurisdictions retain laws providing for criminal punishment of adult, private, consensual sexual conduct by persons of the same sex more than 40 years after the repeal of such provisions in the United Kingdom from which they were introduced into the laws of countries of the Commonwealth;

**Considering** that there are strong arguments that such laws may exceed the proper ambit of the criminal law in a modern democratic society and may involve, or give rise to, breaches of universal norms of human rights;

**Noting** the observations in recent years of respected leading citizens of Commonwealth countries calling for reform of such laws and drawing attention to the impediment that such laws may cause for successful strategies in Commonwealth countries to tackle the spread of HIV/AIDS; and

**Reflecting** on the deliberations of the 16<sup>th</sup> Commonwealth Law Conference of the Commonwealth Lawyers Association (CLA) held in Hong Kong SAR from 5<sup>th</sup> -9<sup>th</sup> April 2009;

The CLA calls on the Secretary-General of the Commonwealth to establish a working group of appropriately diverse membership and background and consult widely in Commonwealth countries and to report back to the Secretary-General before the next Commonwealth Law Conference in Hyderabad, India in April 2011 so as to permit consideration of this topic in the institutions of the Commonwealth and within the CLA and to suggest ways to tackle this issue consistently with the Commonwealth's commitment to universal human rights for all Commonwealth citizens.

Commonwealth Lawyers Association (CLA)  
16<sup>th</sup> Commonwealth Law Conference  
9<sup>th</sup> April 2009