

HUMAN RIGHTS COUNCIL, 12th SESSION
ITEM 2 GENERAL DEBATE:
UPDATE BY HIGH COMMISSIONER FOR HUMAN RIGHTS

Joint Statement by: International Lesbian and Gay Association – Europe, Canadian HIV/AIDS Legal Network, International Commission of Jurists, Center for Women’s Global Leadership (CWGL), Swedish Federation for Lesbian, Gay, Bisexual and Transgender Rights (RFSL), Danish National Organisation for Gay Men and Lesbians (LBL), Lesbian and Gay Federation in Germany (LSVD), Global Rights, International Service for Human Rights

Thank you Mr. President, and Madam High Commissioner, for your update. The articulation of a broad range of human rights violations, in countries and regions around the world, is a sobering reminder that the Council must redouble its efforts to address all human rights situations, wherever they occur. We appreciate the strong attention in your report to enhancing recognition of international human rights standards, including the rights of Indigenous peoples, measures to continue to address racial profiling and discrimination, rights of migrants, the affirmation of freedom of expression and protection of human rights defenders, and ensuring equal attention to economic, social and cultural rights. We further join you in affirming the importance of strong independent system of Special Procedures. The time has come to start exploring mechanisms for ensuring increased State cooperation with Special Procedures so that they can do their job.

We also welcome the focus in your update, Madam High Commissioner, on the need to eliminate the “Scourge of Discrimination”. As you remind us on p. 3, no country is free from discrimination, the elimination of which is a “responsibility of the highest order”. Many States have commended your strong affirmations that no-one should face human rights violations on grounds including sexual orientation or gender identity. This principled position is timely and appropriate. As you note in your report, the grounds of discrimination are “many and multifaceted”, and indeed the more marginalised or unpopular a particular group is, the more severe is the discrimination that they face.

As you have noted, and as Special Procedures have drawn to this Council’s attention, too many people continue to face criminal sanctions, violence, torture, death, denials of freedom of expression and assembly, and discrimination in enjoying economic, social and cultural rights in all regions of the world, solely because of their sexual orientation or gender identity.

We therefore particularly appreciate your public recognition that:

“No human being, simply because of their perceived sexual orientation or gender identity, may be denied their human rights. No human being, simply because of their perceived sexual orientation or gender identity, may be subject to discrimination, violence, criminal sanctions, or abuse.”

We also commend you for your participation in the high-level panel event on human rights, sexual orientation and gender identity held in conjunction with the June session of the Human Rights Council. We were very pleased that the panel attracted more than 200 people from over 50 countries, drawn from all regional groups. Some States, in their interventions, acknowledged the sensitivity of the issues,

but expressed a positive wish for continued dialogue. We are heartened at the increasing openness by States from all regions to respectful and constructive discussion of these important human rights issues. The panel event taking place on September 22, will provide a useful opportunity for follow-up, and we urge this Council to also dedicate time in plenary during the current cycle to consideration of sexual orientation and gender identity issues within a human rights framework, as requested by 54 States in a joint statement delivered by Norway in 2006.

As noted in your update, Madam High Commissioner, the 60th Anniversary of the UDHR served as an important reminder that all human beings are entitled to the full protections guaranteed by international human rights instruments. Ensuring fulfilment of that commitment is also central to the mandate of this Council, and there is therefore particular resonance in your comments that: “it is our task and our challenge to move beyond a debate on *whether* all human beings have rights – for such questions were long ago laid to rest by the Universal Declaration - and instead to secure the climate for *implementation*”.

We thank you again, Madam High Commissioner, for your leadership and commitment to the fundamental principle of human rights for all, and look forward to continuing to work with your Office, this Council, and States from all regions which share a commitment to addressing these important human rights concerns.