

36th Human Rights Council
September 27, 2017
ITEM 10 – Technical Assistance and Capacity Building
Statement by International and Gay Association

Delivered by André du Plessis

Thank you, Mr. President

Notable progress was made on LGBTI issues during the past few months in some countries, in the spirit of this Item 10 – technical assistance and capacity-building– we would like to share some of that progress.

Executive Action

The executive parts of government are taking action.

A positive outcome for LGBT people in **Malaysia** has been made when in June the Health Ministry, in response to strident criticism from defenders and the general public, reframed the terms of a youth video competition, removing language and criteria that stigmatized LGBT persons.¹

We welcome that **East Timor** held its first LGBT parade and the Prime Minister announced that the nation's development depends on respecting the rights of all its citizens.²

LGBTI persons struggle to realize the right to education. We congratulate the **Philippines'** Department of Education who issued a gender-responsive basic education policy on June 29 that calls for an end to discrimination based on gender, sexual orientation and gender identity in schools. This policy is an important step toward providing equal rights for all students.³

For the first time ever, **Denmark** will launch an action plan on LGBT issues. The plan aims to prevent discrimination and promote equal opportunities, security and well-being for LGBT people.⁴

Court Rulings

In many countries, it is the courts that are bringing about change.

In August, in an unprecedented case, a court in **China** ruled against a public hospital that had forced a gay man into so called conversion therapy. This ruling is the first of its kind – against a public institution in China. While the verdict is significant, the ruling is narrow.⁵

We also welcome that in **the Republic of Korea** the Supreme Court has ordered the government to allow a LGBT rights foundation to legally register as a charity, ending three years of the foundation's leaders facing discriminatory rejection from multiple government agencies. The judgment affirms South Korea's obligations to respect freedom of assembly for all its citizens.⁶

We welcome the fact that in June the **European Court of Human Rights** ruled that Russia's 'anti-propaganda' legislation is a breach of human rights. It reasoned that the application of those laws is arbitrary and reinforces stigma and prejudice and encourages homophobia which is incompatible with the notions of equality, pluralism and tolerance inherent in a democratic society.

¹ <http://bit.ly/2vSA7uZ>

² <http://on.mash.to/2gP26Bo>

³ <http://bit.ly/2f9mSM6>

⁴ <http://bit.ly/2wiJenA>

⁵ <http://bit.ly/2tEINnN>

⁶ <http://bit.ly/2xuHMjb>

We welcome the recent decision taken by the Supreme Court of **Nepal** regarding legal gender recognition. The judgment will allow those who have received Nepalese citizenship to change their birth assigned sex according to their gender identity.⁷

Legislative Action

Laws are changing as parliaments pass laws.

In **New Zealand** lawmakers apologized for the tremendous hurt and suffering of hundreds of men who were convicted of having same-sex relations during the years that it was criminalized.⁸ In **Uruguay**, the General Assembly is considering several bills to support trans citizens, including a pension fund that will pay those born before 1975 to compensate them.⁹

In July, **Malta** lawmakers legalized same-sex marriage, joining much of Western Europe in replacing the traditional "you are now husband and wife" declaration in civil ceremonies with "you are now spouses".¹⁰

Voices in surprising places:

Human rights are realized not by government action alone. Changes happen at all levels of society.

LGBTI persons face discrimination in the workplace. We congratulate the fact that eleven prominent companies in **Suriname** promised to respect the rights of LGBT employees by signing the 'Declaration of Paramaribo' in June.¹¹

In the frame of the launch of research on intersex issues, former **US** surgeons general have recommended an end to medically unnecessary surgeries on intersex children.¹²

Last month, in **West Africa** an LGBT-inclusive religious gathering took place which aimed to build bridges, share stories and create hope, as religion is meant to promote respect for individuals irrespective of their sexual orientation, gender identity and expression and sex characteristics.¹³

These are just a few places experiencing positive changes due to innovative and often brave action. We encourage governments and others from around the world to share these with others.

I thank you Mr. President

⁷ <http://bit.ly/2xang4r>

⁸ <http://bit.ly/2vSPEuM>

⁹ <http://bit.ly/2rguB2W>

¹⁰ <http://bit.ly/2iZzGsZ>

¹¹ <http://bit.ly/2yEmofR>

¹² <http://bit.ly/2wNG0Je>

¹³ <http://bit.ly/2gVIH2M>