

**SOGIESC REMARKS DURING THE HIGH-LEVEL SEGMENT OF THE 40<sup>TH</sup> SESSION OF THE  
HUMAN RIGHTS COUNCIL**

**(25<sup>th</sup> February- 23<sup>rd</sup> March)**

*This report contains all SOGIESC remarks made during the High-Level Segment of the 40<sup>th</sup>  
session of the Human Rights Council.*

*The report is based on notes taken by ILGA during the High-Level Segment.*



## INTRODUCTION

The 40<sup>th</sup> Session of the Human Rights Council provides an important space for participation of LGBTI persons in the United Nations and for strengthening the protection of the human rights of every person, regardless of their sexual orientation, gender identity or expression and sex characteristics.

The session was officially opened on Monday 25 February 2019. During the opening session, the President of the Human Rights Council, the President of the General Assembly, the Secretary General of the UN and the High Commissioner for Human Rights addressed the Council.

Among other important issues, at the opening of the session, the President of the Human Rights Council [expressed](#) the hope that the constructive spirit will prevail at the work of the Council and that he will do his utmost to tackle the issue of reprisals for engagement in the work of the Human Rights Council.

The President of General Assembly [highlighted](#) the importance of overcoming the implementation deficit of human rights norms and the centrality of the articulation of all the UN system to the protection of human rights. In this sense, she stated that she is doing efforts to achieve a better articulation between the General Assembly and the Human Rights Council.

The Secretary General of the United Nations [affirmed](#) that the rights enshrined in the Universal Declaration of Human Rights belong to everyone, everywhere, independently of nationality, gender, sexual orientation, race, religion, belief or any other status.

The High Commissioner for Human Rights [stated](#) that she will do the best to strengthen all the international human rights institutions with a sense of common purpose, to amplify the needs and demands of civil society and to advance the principles of dignity, equality and justice. The High Commissioner also mentioned that the Special Procedures, the UPR and the Treaty Bodies have become fundamental tools for achieving human rights.

The High-Level Segment saw representatives from regions across the world make remarks on the protection of LGBTI persons – from Pakistan, to Mozambique, to Mexico, to Latvia and to Germany. This shows that SOGIESC issues are of true global importance. We invite you to take a look at these remarks below.

## **SOGIESC REMARKS DURING THE HIGH-LEVEL SEGMENT**

MONDAY 25 FEBRUARY 2019

**Secretary General. H.E. Mr. António Guterres**



The rights enshrined in the Universal Declaration of Human Rights belong to everyone in everywhere. They are independent of nationality, gender, sexual orientation, race, religion, belief or any other status. (...) We also need to work to close the gap in discriminatory laws and practices that target people in the workplace, in accessing public services or in the community, simply because of their sexual orientation, gender identity or sex characteristics.

**Ireland. H.E. Mr Simon Coveney. Tánaiste and Minister for Foreign Affairs and Trade**



We continue to push for equal treatment for LGBTI persons.

**Australia. H.E. Ms Marise Payne, Minister of Foreign Affairs**



We seek to maintain on the rules and institutions that provided the basis on which universal human rights are protected and promoted. Global abolition of the death penalty, ending discrimination on the basis of sexual orientation and the protection of the rights of LGBTI people, freedom of religion, advancing indigenous peoples' rights globally championing the rights of people with disabilities, promoting gender equality and supporting the role of civil society and national human rights institutions will continue to be priorities for Australia in the remainder of our term and beyond. I can assure you that the Australia's commitment to human rights goes to the core of who we are as a nation. And we look forward to continuing to advance on these values on this Council in t 2019.

**Brazil. H.E. Ms. Damares Regina Alves, Minister of Women, Family and Human Rights of Brazil**



We also reiterate our determination to combat violence and discrimination against LGBT people. In order to do this the ministry has a specific office with trained staff to develop relevant work in this area.

**Norway. H.E. Ms. Ine Eriksen Søreide,  
Minister for Foreign Affairs**



Looking around the world today I think it is an understatement to say that we need reminders that all people are entitled to human rights, irrespective of their gender, religion or belief, age, sexual orientation, disabilities or ethnicity.

**Denmark. H.E. Mr. Anders Samuelsen,  
Minister for Foreign Affairs of Denmark**



The human rights situation in Russia remains deeply concerning. The sentencing of the Danish Jehovah's Witness Mr. Dennis Christensen to six years in prison is unjust and unfounded and creates a worrisome precedent. We call on Russia, and every other State, to guarantee fundamental freedoms for all, including freedom of religion or belief. Further, Russia must conduct thorough investigations of the multiple reports of persecution and torture of LGBTI persons in Chechnya.

**Iceland. H.E. Mr. Gudlaugur Thór  
Thórdarson, Minister of Foreign Affairs**



Finally, repeated reports of violence against lesbian, gay, bisexual, transgender and intersex individuals, including in Chechnya and Tanzania are also of great concern to us. On this point, I want to highlight our pledge to put the human rights of LGBTI individuals in the forefront of



our membership of the Human Rights Council. I am also pleased to announce Iceland's intention to become a regular contributor to the Office of the Human Rights Commissioner's work in this field. We got it right decades ago in the Universal Declaration of Human Rights when we set out that all human beings are born free and equal in dignity and rights. This means everyone, irrespective of their gender, sexual orientation or gender identity.

**Montenegro. H.E. Mr. Srdjan Darmanovic,  
Minister of Foreign Affairs**



We have achieved significant progress in strengthening institutional and normative framework, as well as in enhancing promotion and protection of rights of vulnerable groups, in particular women and girls, LGBTI, minorities, persons with disabilities, children.

**Argentina. H.E. Mr. Claudio Avruj, Secretary  
of Human Rights and Cultural Pluralism**



In various regions of the world we see acts of discrimination on the grounds of sexual orientation and/or gender identity. These are deeply rooted. It is essential that we double our efforts to guarantee physical and psychological protection of LGBTI individuals, as well as to combat homophobic and transphobic violence, starting by repealing laws that criminalize these groups.

**South Africa. H.E. Mr. Luwellyn Landers,  
Deputy Minister for International Relations  
and Cooperation**



The principles of our constitution were guided by a commitment to build a society that transcends a history of discrimination and violence based on race, sex, gender, religion, origin and sexual orientation.

**TUESDAY 26 FEBRUARY 2019**

**Belgium. H.E. Mr. Didier Reynders, Deputy  
Prime Minister and Minister of Foreign and  
European Affairs, and Defense, in charge of  
Beliris and the Federal Cultural Institutions**

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**Netherlands: H.E. Ms. Sigrid Kaag, Minister for Foreign Trade and Development Cooperation**

In the last 70 years, lasting peace has been established in many countries, thanks to the efforts of the international community. These achievements are however not acquired. Today, too many people are still victims of violence, injustice and discrimination based on their religion, race, ethnicity, color, sex and sexual orientation. As a member of the Human Rights Council, Belgium has always tried, over the past three years, to promote and protect the rights of people who cannot count on adequate state legal protection. On behalf of Belgium, I thank the Council for its trust.



Internationally, my country has made more funding available to promote and protect human rights, particularly for the freedom of belief and religion, which includes the freedom not to believe. And to promote equal rights for women and girls and LGBTI people.

**Luxemburg. S.E M Jean Asselborn, Minister of Foreign and European Affairs of the Grand Duchy:**



**Pakistan. H.E. Ms. Shireen M. Mazari, Minister of Human Rights**

In 2018 Luxembourg also established a national plan of action for the protection and promotion of the rights of LGBTI persons.

Our Ministry has drafted some extremely progressive laws, including a juvenile justice act and the transgender law, which allows the mainstreaming of the transgender community in keeping with the idea of human dignity.

**Italy. H.E. Ms. Emanuela Claudia Del Re,  
Deputy Minister for Foreign Affairs**



The fight against all forms of discrimination, including on grounds of sex, race, ethnic or social origin, religion or belief, political or any other opinion, disability, age, sexual orientation and gender identity: this is a top priority.

**Malaysia. H.E. Mr. Dato' Saifuddin Abdullah,  
Minister For Foreign Affairs**



Much greater space has now been accorded for more robust human rights discussions including discussing items that were once considered taboo as freedom of religion and belief and LGBT issues.

**Latvia. H.E. Mr. Edgars Rinkēvičs, Minister  
For Foreign Affairs**



It is important that the Human Rights Council addresses serious human rights abuses as they occur. Already once, we experienced a surge of violations against the LGBTI community in Chechnya. Recently we received reports of violations occurring again. It is the obligation of this Council to press all parties involved to uphold human rights for all and to ensure accountability for human rights violations. I reiterate the call of many nations to the Russian Federation to comply with all of its human rights obligations, to ensure impartial investigation and accountability, as well as the safety of all LGBTI persons, human rights defenders, lawyers, independent media and civil society organizations in Chechnya.



**Malta. H.E. Mr. Carmelo Abela, Minister for Foreign Affairs and Trade Promotion of Malta**



I am proud to say that since the 2013 (Universal Periodical) Review, Malta has made huge strides ahead in enacting legislation guaranteeing social and political rights across all sectors and straight-out Maltese society. These legislations cover such areas as family law, legal gender recognition, marriage equality, women's rights, gender based and domestic violence, access to assisted reproductive technology, minorities rights, child protection among others. Today I will be touching on three issues where I believe that the progress achieved should be highlighted. (...) Secondly, our progress in regard to LGBTIQ people. From marriage equality to gender neutral markers, the advancements made by Malta in the LGBTIQ field are said to be the current global goal standard by no other than the OHCHR. In fact, for the third year running, Malta has maintained its top place on the ILGA-Europe Rainbow Index, which reviews the LGBTIQ people situation in the 49 European Countries. With an overall rating of 94%, Malta remains the leading European country in protecting LGBTIQ persons in the area of equality and non-discrimination. Family, hate crimes and hate speech, legal gender recognition, bodily integrity, civil society space and asylum. Indeed, from the Civil Unions Act of 2014 to the

Marriage Equality act of 2017 we are proud that in Malta all couples enjoy the same rights. Furthermore, the law protects from conversion practices related to sexual orientation, gender identity and gender expression. In September 2018 the second national action plan on LGBTIQ was launched. While the first action plan focused on changing and modernizing legislation related to LGBTIQ rights, this strategy focusses on the social realities that LGBTIQ people face and the mainstreaming of their rights into society. It also focusses on ensuring that all government ministries and entities take responsibility in implementing the national action plan, after all the protection of human rights is a responsibility of all.

**Germany. H.E. Ms. Bärbel Kofler, Federal Government Commissioner for Human Rights Policy and Humanitarian Aid**



Concerning the human rights challenges we should address now, Germany looks at the strengthening of women's rights, at equality as well as the rights of LGBTI, at the strengthening of human rights online in the digital age and at the protection of people who become victims of climate change and environmental disasters.



**Mexico. H.E. Ms. Martha Delgado Peralta,  
Vice Minister for Multilateral and Human  
Rights**



Effectively the government of Mexico is committed to carrying through a genuine transformation of the social fabric of the country, where we all recognize and value the importance of the respect for human rights, human dignity, rule of law and non-discrimination where ethnic origin is respected as well as sexual orientation, gender identity, freedom of expression, freedom of religion and culture diversity.

**Commonwealth. H.E. Ms. Patricia Scotland,  
Secretary-General**



Exclusion, discrimination and intolerance remain amongst the gravest challenges we must

address not only in the Commonwealth but globally. Marginalized and vulnerable groups such as the LGBTI community, persons with disabilities, indigenous peoples and religious minorities are disproportionately impacted by discrimination. In this regard just last month we held a stakeholders consultation with civil society partners as well two UN special procedures' mandate holders, the Independent Experts on protection against violence and discrimination based on sexual orientation and gender identity and the Special Rapporteur on freedom of religion or belief. We will be working to support both of these mandates as we promote LGBTI equality and inclusion.

**Finland. Ms. Elina Kalkku, Deputy Minister  
for Development Cooperation of Finland**



Finland is also deeply concerned about the reports of arbitrary detentions, torture and killings of people in Chechnya based on their actual or perceived sexual orientation or gender identity. All reports of such acts must be thoroughly investigated by Russia, in order to ensure justice for the victims, and accountability of the perpetrators. We give full support to Victor Madrigal-Borloz, Independent Expert on the protection against violence and discrimination based on sexual orientation and gender identity.



**Albania. H.E. Ms. Artemis Dralo, Deputy Minister for Europe and Foreign Affairs:**



Building peaceful and sustainable societies requires the participation of all individuals, groups and communities regardless of their origin, religious beliefs, political views or sexual orientation. Albania's determination to work and advance in this regard remains unwavering.

**WEDNESDAY 27 FEBRUARY 2019**

**Mozambique. H.E. Mr. Joaquim Veríssimo, Minister of Justice, Constitutional and Religious Affairs**



Thus, we value the efforts made by UN treaty bodies and the Special Procedures. We have successfully welcomed the visit by the Office of the High Commissioner of Human Rights Led by

the Chief of the Africa Branch as well as the visit by the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity, Mr. Victor Madrigal Borloz.

**Lithuania. H.E. Ms. Asta Skaisgiryte, Political Director of Ministry of Foreign Affairs**



Hatred still plagues our world today and authoritarian states constantly question norms of international law and test boundaries. All around the world, we see that forms of nationalism, xenophobia and populism have been emerging lately. A great number of conflicts remain unresolved and frozen, sometimes appearing to be without even a dim light of hope of resolution. We witness hate crimes against, and persecution of, members of the LGBTI community in Chechnya and the Russian Federation.

**Organization of American States H.E. Mr. Joel Hernandez, First Vice-President of the Inter-American Commission on Human Rights**

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countries in the region authorities and some social groups have been defending extreme nationalism and forms of discrimination such as xenophobia, misogyny homophobia Hate and fear speech either openly or conversely. These are worrying situations and national systems have not been able to count them effectively.

We are also concerned about historical backwardness and challenges. In some