



**SOGIESC REMARKS DURING THE HIGH-LEVEL SEGMENT OF THE 43<sup>rd</sup> SESSION OF THE  
HUMAN RIGHTS COUNCIL  
(24th - 26th February 2020)**

This report contains all SOGIESC remarks made during the High-Level Segment of the 43<sup>rd</sup> session of the Human Rights Council. The report is based on notes taken by ILGA during the High-Level Segment.



## INTRODUCTION

The 43<sup>rd</sup> session of the Human Rights Council was officially opened on Monday 24<sup>th</sup> February. Due to the measures taken in response to the COVID-19 situation, the session was suspended on the 13<sup>th</sup> March and the date of the resumed session will be announced when decided. In addition, during the three weeks before the suspension, other necessary measures took place, such as the cancellation of side events.

Nevertheless, the 43<sup>rd</sup> session contributed to consolidate the Human Rights Council as an important forum for the protection of human rights for persons of diverse sexual orientation, gender identity and expression and sex characteristics around the globe.

During the opening session, the President of the Human Rights Council, Elisabeth Tichy-Fisslberger, stated that the work of the Council should be guided by its impact on the ground, for people who suffer from diverse human rights violations and persons who risk their lives defending those rights.

The Secretary-General of the United Nations, António Guterres, presented a [Call to Action for Human Rights](#). The document mentions that nobody's prospects should be less because of their sexual orientation and gender identity.

The United Nation's High Commissioner for Human Rights, Michelle Bachelet, called for laws and policies that uphold equality and dismantle discrimination and highlighted their immediate and long-lasting positive impact on political, social and economic structures. Furthermore, she recalled the need to broaden the participation of people, including young persons, in institutions.

The President of the General Assembly, Tijjani Muhammad-Bande, mentioned the importance of the institutional relationship of the UNGA with the Human Rights Council to strengthen the international human rights system and called attention to specific situations such as the rights of the child, gender equality and refugees.

Throughout the High-Level Segment, representatives from states and international organizations from different regions of the world made several remarks regarding the advances made in protecting LGBTI persons, but also highlighted some of the main challenges ahead. From Seychelles to Pakistan, to Albania, to Brazil - the remarks compiled in the following pages demonstrates that prohibition of violence and discrimination based sexual orientation, gender identity and expression and sex characteristics are truly global issues and that should be addressed by the whole international community.

## SOGIESC REMARKS DURING THE HIGH-LEVEL SEGMENT

MONDAY 24 FEBRUARY 2020

### H.E. Mr. António Guterres, Secretary-General



[...]We see civilians trapped in war-torn enclaves, starved and bombarded in clear violation of international law. Human trafficking affecting every region in the world, preying on vulnerability and despair. Women and girls enslaved, exploited and abused, denied the opportunity to make the most of their potential. Civil society activists tossed in jail, and religious and ethnic minorities persecuted, under overly broad definitions of national security. Journalists killed or harassed for seeking only to do their jobs. Minorities, indigenous people, migrants, refugees, the LGBTI community vilified as the “other” and tormented by acts of hate.

### H.E. Ms. Mariella Mularoni and H.E. Mr. Luca Boschi, Captains Regent of the Republic of San Marino



The introduction of civil unions as demonstrated the high level of democracy and

respect embedded in San Marino's history. Indeed, the law regulations on civil unions requested by a public initiative was approved by Parliament on the 20th November 2018. Based on this law the legal system recognizes to homosexual and heterosexual couples equal dignity, rights and safeguard of married couples. Consequently, an important constitutional amendment to article 4 of declaration of the Citizens Rights and Fundamental Principles of San Marino's Constitutional order has been set and approved by a confirmative referendum on the 2nd June 2019. This amendment broadened the application of the principle of equality in front of the law by expliciting eliminating any sexual distinction.

### H.E. Mr. Stef Blok, Minister for Foreign Affairs of the Netherlands



In a world where human rights are being violated in so many places and where so many people know nothing but ruin, darkness and pain. That is why the Netherlands pledged to fully cooperate with the Council while we tried to convince the candidates to present their programmes and to be open to questions about their records. That is why we increased our contribution and continue to strengthen our human rights situation at home. [...] While we strive to advance gender equality and enhance the Council's capacity to promote and

protect equal rights for lesbian, gay, bisexual, transgender and intersex persons.

[H.E. Mr. Edgars Rinkēvičs, Minister for Foreign Affairs of Latvia](#)



Latvia continues to be alarmed by the shrinking space for civil society and attempts by some countries to restrict activities of human rights defenders and limit their right to freedom of expression and opinion through intimidation, harassment and arrests. Of particular concern are reprisals against women, LGBTI and environmental human rights defenders, and those who cooperate with the UN human rights mechanisms. Each year there are countries who take the necessary steps towards decriminalising same-sex relationships. However, in the past year we have seen a deeply worrying trend of several countries taking a backwards step and enacting new criminal provisions against same-sex relationships.

[H.E. Mr. Simon Coveney, Deputy Prime Minister of Ireland](#)



By any objective measure, the global trends in relation to human rights violations are worrying: The use of the death penalty and torture continue; Safe and enabling environments for civil society actors are routinely threatened; Human rights defenders, their families and associates, endure reprehensible levels of attack. These violations and abuses can be particularly severe for women human rights defenders and those working in defence of LGBTI issues; and Acts of intimidation and reprisal against those seeking recourse through the UN system are on the increase.

[H.E. Ms. Ann Linde, Minister for Foreign Affairs of Sweden](#)



We will also continue to push for the protection of the human rights of LGBTI persons. Sweden's position is crystal clear: human rights are universal and apply to all. Everyone must be able to fully enjoy their human rights whatever their sexual orientation or gender identity. It is the duty of states to respect, protect and fulfil the human rights of all persons, without discrimination of any kind.

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



In the fight against discrimination and violence against LGBT people, we published a report on the situation of LGBT people in Brazilian prisons, which we want to share with other countries and which should support the preparation of a protocol of procedures and, in due course, the issuing of an ordinance to regulate special wards or cells destined to this population. We increased the training and employability program for the trans population, with excellent results already registered still in 2019.

**H.E. Mr. Evarist Bartolo, Minister for Foreign and European Affairs of Malta**



On LGBTIQ, from 49 countries assessed by the ILGA-Europe Rainbow organisation, Malta ranks first for the fourth year in a row. Through the implementation of the LGBTIQ Equality Strategy and Action Plan 2018-2022, Malta has been delivering on a number of initiatives aimed at mainstreaming LGBTIQ equality across various sectors. These include the piloting of an intra curricular approach to

addressing LGBTIQ issues in schools as well as teacher training.

**H.E. Mr. Linas Antanas Linkevičius, Minister for Foreign Affairs of Lithuania**



Just recently, a well-known Russian journalist who helped to expose torture and cruelties against LGBTI people in Russia's Republic of Chechnya, and her colleague, human rights defender were attacked and beaten. This is only one example of how journalists and human rights defenders are risking their safety and even lives. It is essential to ensure a safe and enabling environment for human rights activists and defenders. Which in its turn contributes to safeguarding the freedom of expression. In this context, Lithuania would like to highlight recent international initiatives that Lithuania has joined: the Media Freedom Coalition and the International Partnership on Information and Democracy, which will strengthen global efforts of protection of journalists and media freedom.

[H.E. Mr. Philippe Goffin, Minister of Foreign Affairs and of Defense of Belgium](#)



Belgium continues to attach particular importance to the effective functioning of the treaty bodies, and reaffirms its strong support for the process of strengthening the treaty bodies in order to modernize them while preserving their integrity and independence. These commitments are also our compass for navigating the international scene. Today's world faces complex challenges. Some of them we have known about for a long time: gender-based violence, discrimination on the basis of sexual orientation or religion; injustice of all kinds.

**TUESDAY 25 FEBRUARY 2020**

[H.E. Mr. Jean Asselborn, Minister of Foreign and European Affairs of Luxembourg](#)



My country also continues to be committed to the recognition and protection of the rights of all LGBTI people: at the national level, we are implementing our multi-year action plan, and

at the international level, we participate in the Equal Rights Coalition.

[H.E. Ms. Shireen M. Mazari, Minister for Human Rights of Pakistan](#)



In line with our Founder Quaid-i-Azam Mohammad Ali Jinnah's vision of a humane and egalitarian state, we have enacted progressive laws to protect children, women, minorities, the transgender community, the differently abled and other marginalized segments.

[H.E. Ms. Patricia Scotland, Secretary-General of the Commonwealth](#)



Marginalized communities such as the LGBTI persons and indigenous peoples are too often left on the margins of efforts to advance human rights and inclusive development. Recognizing the intersectional barriers to inclusive development and multiple vulnerabilities that affect individuals, this year Commonwealth theme is Delivering a Common Future. This future cannot be

common without being inherently inclusive. Simply put, we have to respect dignity and equality of all citizens in the Commonwealth family.



[H.E. Mr. Pekka Haavisto, Minister for Foreign Affairs of Finland](#)

People everywhere need to be free of fear of violence and feel safe whatever their ethnicity, faith, or sexual orientation.

However, in many regions of the world, freedom of expression, association, assembly, media and safety or journalists are restricted. Finland is concerned about this situation as these restrictions put vulnerable minorities groups like the LGBTI at risk. Furthermore, human rights defenders who are defending the rights of the vulnerable are under threats by authorities. The situation is even worse for women human rights defenders.



[H.E. Mr. Don Alfonso Nsue Mokuy, Third Vice-Prime Minister of the Government in charge of Human Rights of Equatorial Guinea](#)

By way of summary we point out that the Government is working on the following instruments; the Law against Gender Violence; the Law Regulating the Social Protection System; the Law against Corruption; the Preliminary Draft of the Law on Trade Unions; the Preliminary Draft of the Law Regulating Prostitution and the Law on Homosexuals in the Republic of Equatorial Guinea; as well as the Preliminary Draft of the Amendment to the Criminal Code to abolish the death penalty and adopt the revisable permanent prison. [...]

[H.E. Mr. Gudlaugur Thor Thordarson, Minister for Foreign Affairs of Iceland](#)



We were also happy to see the increase of support in the mandate of the Independent Expert on violence and discrimination based on sexual orientation and gender identity. With LGBTI rights been one of Iceland's priorities in the Council. Iceland was proud to offer a public platform to the Independent Expert, Mr. Victor Madrigal-Borloz to speak on this important topic during his visit to Iceland in September last year. We must remember that all human beings are entitled of their human rights, regardless of their gender, the color of their skin, sexual orientation or religion. The fact that around 70 UN member states have laws in their books that deems it as crime to be gay or lesbian or otherwise different is unacceptable, and we must agree to change such laws. I want to use this podium now and the platform I have here at the Human Rights Council to join the global call to decriminalisation of consensual same-sex

conduct and the full respect of the rights of lesbian, gay, bisexual, trans and intersex people. It is a right issue and I want to devote our full attention to and a topic that I want to put on the agenda of this body, trusting that we can together and through concerted action, not only change legislation, but also their minds, political leaders government officials and ordinary people. That way we will gradually see much needed change in attitudes and in opinions.

[H.E. Mr. Barry Faure, Secretary of State of Foreign Affairs and the Blue Economy of Seychelles](#)



We are proud to serve as a thriving example of harmonious multi-racial society, a value that is enshrined in Seychelles' constitution, the supreme law of the country, as is the guarantee for the equal protection of the law for all persons regardless of any differentiating on any grounds, including gender, race, nationality, age, skin color, sexual orientation or political beliefs.

[H.E. Mr. Agron Tare, Vice-Minister for Europe and Foreign Affairs of Albania](#)



Our second priority will be to promote tolerance and non-discrimination.

Peaceful and sustainable societies are inclusive societies, societies that leave no one behind. They embrace diversity and promote the participation of all individuals, groups and communities, regardless of their age, disability, origin, religious beliefs, political views or sexual orientation. These are the societies that we pledged to build through the 2030 Agenda for Sustainable Development. Amidst rising hate

speech, xenophobia and intolerance, we must acknowledge our responsibility to integrate human rights approaches in our development policies and programs.

[H.E. Mr. Joel Hernández, Commissioner and Vice-President of the Inter-American Commission on Human Rights, Organization of American States](#)



Let me comment on some of the challenges that we note last year. During 2019 the Commission noted the persistence of acts of violence and discrimination against groups

who were in special situation of exclusion and discrimination such as women, girls, LGBTI people, indigenous peoples, human rights defenders, social leaders and journalists, as well as migrants, people deprived of liberty, amongst other groups in vulnerable situation. [...]To consolidate our democracy, there are still many tasks pending. There is a challenging panorama, there are extreme inequalities in the countries, serious problems when it comes to access to justice, to discrimination against women and against indigenous peoples, people of African descent, migrants and a large sway of our population is discriminated on the basis of their sexual orientation and there are other situations of exclusion and marginalization.

**Wednesday 26 February 2020**

**[H.E. Mr. Cristopher Ballinas Valdés, Director General for Human Rights and Democracy at the Ministry of Foreign Affairs of Mexico](#)**



Mexico will continue to work to promote the rights of indigenous peoples, the abolition of the death penalty, the rights of persons with disabilities, human rights in combating terrorism, privacy in the digital age, the elimination of all forms of discrimination and violence against women and girls, the rights of children, the elimination of violence and discrimination based on sexual orientation and gender identity, and the rights of persons belonging to minorities, among others.