

The following is a declaration issued by members of the LGBT Core Group at the United Nations

## **Ministerial Declaration on ending violence and discrimination against individuals based on their sexual orientation and gender identity**

**United Nations, New York, 26 September**

1. We, ministers of Argentina, Brazil, Croatia, El Salvador, France, Israel, Japan, The Netherlands, New Zealand, Norway and United States, and the High Representative of the European Union for Foreign Affairs and Security Policy – members of the LGBT Core Group at the United Nations – hereby declare our strong and determined commitment to eliminating violence and discrimination against individuals based on their sexual orientation and gender identity.

2. In so doing, we reaffirm our conviction that human rights are the birthright of every human being. Those who are lesbian, gay, bisexual and transgender (LGBT) must enjoy the same human rights as everyone else.

3. We welcome the many positive steps taken in recent decades to protect LGBT individuals from human rights violations and abuses. Since 1990, some 40 countries have abolished discriminatory criminal sanctions used to punish individuals for consensual, adult same-sex conduct. In many countries, hate crime laws and other measures have been introduced to combat homophobic violence, and anti-discrimination laws have been strengthened to provide effective legal protection against discrimination on the basis of sexual orientation and gender identity in the workplace and other spheres, both public and private.

4. We also recognize that countering discrimination involves challenging popular prejudices, and we welcome efforts by Governments, national human rights institutions and civil society to counter homophobic and transphobic attitudes in society at large, including through concerted public education campaigns.

5. We assert our support for, and pay tribute to, LGBT human rights defenders and others advocating for the human rights of LGBT persons. Their work, often carried out at considerable personal risk, plays a critical role in documenting human rights violations, providing support to victims, and sensitizing Governments and public opinion.

6. We commend the adoption by the United Nations Human Rights Council of resolution 17/19 on human rights, sexual orientation and gender identity, and we welcome the efforts of the Secretary-General and the High Commissioner for Human Rights to raise global awareness of human rights challenges facing LGBT individuals, and to mobilize support for

measures to counter violence and discrimination based on sexual orientation and gender identity.

7. Nevertheless, we remain gravely concerned that LGBT persons in all regions of the world continue to be victims of serious and widespread human rights violations and abuses.

8. A landmark 2011 study by the High Commissioner for Human Rights, which drew on almost two decades worth of work by United Nations human rights mechanisms, found a deeply disturbing pattern of violence and discriminatory laws and practices affecting individuals on the basis of their sexual orientation and gender identity.

9. It is a tragedy that, in this second decade of the 21st century, consensual, adult, same-sex relations remain criminalized in far too many countries – exposing millions of people to the risk of arrest and imprisonment and, in some countries, the death penalty. These laws are inconsistent with States' human rights obligations and commitments, including with respect to privacy and freedom from discrimination. In addition, they may lead to violations of the prohibitions against arbitrary arrest or detention and torture, and in some cases the right to life.

10. In all parts of the world – including in our own – LGBT individuals are subjected to intimidation, physical assault, and sexual violence, and even murder. Discriminatory treatment is also widely reported, inhibiting the enjoyment of a range of human rights – including the rights to freedom of expression, association and peaceful assembly, and work, education and enjoyment of the highest attainable standard of health.

11. We are fully committed to tackling these violations and abuses – both at the domestic level, including through continued attention to the impact of current policies, and at the global level, including through concerted action at the United Nations.

12. We recognize the importance of continued dialogue between and within countries concerning how best to protect the human rights of LGBT persons, taking into account regional initiatives. In this context, we welcome the outcome of a series of recent regional consultations on the topic of human rights, sexual orientation and gender identity that took place in March and April 2013, and encourage the holding of further such meetings at regional and national levels.

13. Key to protecting the human rights of LGBT individuals is the full and effective implementation of applicable international human rights law. Existing international human rights treaties provide legally binding guarantees of human rights for all – LGBT people included. But for these guarantees to have meaning they must be respected by Governments, with whom legal responsibility for the protection of human rights lies.

14. Cognizant of the urgent need to take action, we therefore call on all United Nations Member States to repeal discriminatory laws, improve responses to hate-motivated violence, and ensure adequate and appropriate legal protection from discrimination on the basis of sexual orientation and gender identity.

15. We strongly encourage the Office of the High Commissioner for Human Rights to continue its efforts to increase understanding of the human rights challenges facing LGBT people, advocate for legal and policy measures to meet these challenges, and assist the United Nations human rights mechanisms in this regard.

16. We agree with the United Nations Secretary-General's assessment that combating violence and discrimination based on sexual orientation and gender identity constitutes "one of the great, neglected human rights challenges of our time". We hereby commit ourselves to working together with other States and civil society to make the world safer, freer and fairer for LGBT people everywhere.