

Queering the UN



Presentation by John Fisher



International Tools for Advancing LGBTI Rights :

- Universal Periodic Review (UPR)
- UN Special Procedures
- UN Joint Statement/Resolution

What is the UPR ?

- Review of human rights situation in each country
- Universal: all 192 UN Member States get reviewed
- Periodic: each State is reviewed on a repeating 4-year cycle



Three reports are submitted:

- the State's National Report
- a compilation of UN Information
- a compilation of NGO information



NGO reports:

- up to 5 pages
- concrete recommendations to improve human rights situation
- e-mailed to:
uprsubmissions@ohchr.org



Working Group review :

- The State is reviewed over a 3-hour period
- Based on the three reports, other countries make recommendations
- The State must indicate which recommendations it accepts before the final report is adopted.



Examples of LGBTI recommendations :

- decriminalise homosexuality
- eliminate death penalty
- include sexual orientation and gender identity in antidiscrimination law
- recognise self-defined gender identity
- provide equal access to health care, education, employment
- address hate crimes
- recognise same-sex relationships
- apply the Yogyakarta Principles



States to be reviewed in February :

- Qatar
- Nicaragua
- Italy
- El Salvador
- Gambia
- Bolivia
- Fiji
- San Marino
- Kazakhstan
- Angola
- Iran
- Madagascar
- Iraq
- Slovenia
- Egypt
- Bosnia & Herzegovina

What are the UN Special Procedures ?

- independent experts
- tasked to monitor and report on human rights violations
- receive urgent appeals, communicate concerns to States, seek their response
- report to UN Human Rights Council and General Assembly
- can also raise awareness through public statements, country visits, participation in panels and expert seminars (eg Yogyakarta Principles)



Some relevant Special Procedures:

- violence against women
- racism
- torture
- extrajudicial executions (unlawful killings)
- arbitrary detention
- health
- housing
- education
- freedom of expression
- human rights defenders



To contact Special Procedures:

➤ urgent-action@ohchr.org

➤ www.ohchr.org/SP/HRBodies/Pages/HumanRightsBodies.aspx

Towards a UN resolution on sexual orientation & gender identity :

- 2003-2004: Brazilian resolution on sexual orientation & human rights, Commission on Human Rights, withdrawn
- 2005: Joint statement on sexual orientation and human rights, Commission on Human Rights, delivered by New Zealand on behalf of 32 States
- 2006: Joint statement on sexual orientation, gender identity and human rights, Human Rights Council, delivered by Norway on behalf of 54 States
- 2008: Joint statement on sexual orientation, gender identity and human rights, UN General Assembly, delivered by Argentina on behalf of 66 States (+ 1)
- 2008-2009: Resolution on sexual orientation, gender identity and human rights, Organisation of American States (OAS), Adopted by consensus
- 2010: ... ???



Position of the Vatican:

“The Holy See continues to oppose all grave violations of human rights against homosexual persons, such as the use of the death penalty, torture and other cruel, inhuman and degrading punishment. The Holy See also opposes all forms of violence and unjust discrimination against homosexual persons, including discriminatory penal legislation which undermines the inherent dignity of the human person.

As raised by some of the panelists today, the murder and abuse of homosexual persons are to be confronted on all levels, especially when such violence is perpetrated by the State. While the Holy See’s position on the concepts of sexual orientation and gender identity remains well known, we continue to call on all States and individuals to respect the rights of all persons and to work to promote their inherent dignity and worth.”



Support for Joint Statement on Sexual Orientation, Gender Identity & Human Rights in Latin America and the Caribbean:

➤ Argentina

➤ Bolivia

➤ Brazil

➤ Chile

➤ Colombia

➤ Cuba

➤ Ecuador

➤ Mexico

➤ Nicaragua

➤ Paraguay

➤ Uruguay

➤ Venezuela

