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MESSAGE TO EVENT ON ENDING VIOLENCE AND CRIMINAL SANCTIONS
BASED ON SEXUAL ORIENTATION AND GENDER IDENTITY

Geneva, 17 September 2010

Delivered by Ms. Navanethem Pillay, High Commissioner for Human Rights

It is a pleasure to greet all the participants in this event taking place during the fifteenth regular session of the Human Rights Council.

Human rights make up one of the three pillars of the United Nations, alongside development and peace and security. Protecting human rights means protecting the rights of everyone, without distinction or discrimination, and paying particular attention to the most vulnerable and marginalized, who may face special obstacles to the full enjoyment of their rights.

In this context, I recognize the particular vulnerability of individuals who face criminal sanctions, including imprisonment and in some cases the death penalty, on the basis of their sexual orientation or gender identity.

Laws criminalizing people on grounds of sexual orientation and gender identity violate the principle of non-discrimination. They also fuel violence, help to legitimize homophobia and contribute to a climate of hate. That is why, in May of this year, during a visit to Malawi, I called for such laws to be reformed worldwide.

No doubt deeply-rooted cultural sensitivities can be aroused when we talk about sexual orientation. Social attitudes run deep and take time to change. But cultural considerations should not stand in the way of basic human rights.

The responsibilities of the United Nations and the obligations of States are clear. No-one, regardless of their sexual orientation or gender identity, should be subjected to torture or to cruel, inhuman or degrading treatment. No-one should be prosecuted for their ideas or beliefs. No-one should be punished for exercising their right to freedom of expression.

I therefore repeat the appeal I made in May: for all countries that criminalize people on the basis of their sexual orientation or gender identity to take the steps necessary to remove such offences from the statute books and to encourage greater respect for all people, irrespective of their sexuality or gender identity.

I hope that your discussions will further the inter-governmental dialogue on this issue and raise awareness of the need for reform. Please accept my best wishes for a successful event.