

Human Rights Council, 23rd Session
Statement submitted by COC Netherlands
(An organization accredited to ECOSOC)
4th June 2013

Mr President,

Article 12 of the International Covenant on Economic, Social and Cultural rights recognizes the right of everyone to the enjoyment of the highest attainable standard of physical and mental health. CESCR General Comment 14 requires States to protect this right through a comprehensive system of healthcare, which is available to everyone without discrimination, and economically accessible to all.

The constitution of the World Health Organization also recognizes the enjoyment of the highest attainable standard of health as one of the fundamental rights of every human being without any distinction. In addition, it recognizes the health of all peoples as fundamental to the attainment of peace and security. Therefore, governments have a responsibility for the health of their peoples which can be fulfilled only by the provision of adequate health and social measures.

Although "Health for all" has become the organizing principle for healthcare professionals around the world, this ideal cannot become a reality as long as certain vulnerable groups of the population remain subjected to negligence or, worse, discrimination.

In this regard, we welcome the recent WHO Secretariat report on "Improving the health and well-being of lesbian, gay, bisexual and transgender persons."

The report found that, as one such vulnerable group, LGBT persons often experience poorer health outcomes than the general population and face barriers to healthcare that profoundly affect their overall health and well-being. It also echoes the report findings of the High Commissioner on Human Rights on "Discriminatory laws and practices and acts of violence against individuals based on their sexual orientation and gender identity" which indicates that homophobic, sexist and transphobic practices and attitudes on the part of health-care institutions and personnel deter LGBT persons from seeking services, which in turn has a negative impact on efforts to tackle HIV/AIDS and other health concerns.

Therefore, we welcome the report's recommendation to States to implement training and system-wide policies to ensure that healthcare is accessible to all and provided without judgmental attitudes, with a reminder that medical ethics and international human rights law require health workers to respect each particular individual's life situation and that all people should be treated with respect and dignity. We also welcome the recommendation that laws and government policies that increase the risk of negative health outcomes for this vulnerable population be reviewed.

We appreciate all initiatives in this Council or in other UN fora that promote the health of all people regardless of sexual orientation or gender identity, and urge States to follow Principle 17 of the Yogyakarta Principles on the right of LGBT persons to the highest attainable standard of health.

Thank you, Mr President.