

24th session of the HRC
Item 2 General Debate
Canadian HIV/AIDS Legal Network

- *delivered by John Fisher*
9 September 2013

Thank you Mr President.
Madam High Commissioner,

We commend the High Commissioner for the work of her office in affirming that no human being may be denied their rights, solely because of their sexual orientation or gender identity, and in particular the *Born Free and Equal* campaign, which seeks to promote public awareness of the inalienable human rights of LGBT persons.

We share the High Commissioner's concern about human rights violations based on sexual orientation and gender identity, which continue to be a matter of ongoing and urgent concern. Since the June session of the Council, violations against LGBT persons have been reported in all regions, including murder, rape, torture, violence and arbitrary arrests.

We welcome the invaluable leadership in this area of the High Commissioner, and encourage her to continue to integrate these issues throughout the work of the Office, including at the field level, and to highlight in her updates to the Council specific violations taking place at the country level, so that governments may better fulfil their responsibility to address these violations.

The time has also come for this Council to more consistently address human rights violations based on sexual orientation and gender identity.

Last September, the High Commissioner was requested to prepare a report on "traditional values and best practices", which will be presented to the current Council session. This report notes concerns that "traditional values could be invoked to justify the status quo and undermine the rights of the most marginalized and disadvantaged groups", and that "traditional values were at times misused to justify human rights violations especially with regard to freedom of belief, women's rights, sexual orientation and gender identity." These concerns are consistent with those raised during the OHCHR expert meeting and by the Advisory Committee in its recent report.

The Human Rights Council must live up to its mandate, challenge initiatives aimed at undermining the fundamental principles of universality, equality and non-discrimination, and ensure that its focus is promoting and protecting universal human rights for all.

As paragraph 5 of the VDPA states: "While the significance of national and regional particularities and various historical, cultural and religious backgrounds must be borne in mind, it is the duty of States, regardless of their political, economic and cultural systems, to promote and protect all human rights and fundamental freedoms."

Thank you.