

Toespraak bij VN bijeenkomst over mensenrechten en seksuele geaardheid

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Verhagen - *Minister van Buitenlandse Zaken*

Ladies and gentlemen,

I am delighted to be here. I would like to thank the French Minister of State for Human Rights, Ms Rama Yade, for co-hosting this event with us and for her inspiring words.

The statement on human rights, sexual orientation and gender identity that was delivered in the General Assembly today, on behalf of 66 UN member states, is a breakthrough in our quest for equal rights for lesbian, gay, bisexual and transgender people throughout the world. An estimated 5 to 10 per cent of the world's population is homosexual – hundreds of millions of people, who are systematically discriminated against.

In over eighty countries, sexual acts between people of the same sex are still criminal offences. In these countries, LGBT people are extremely susceptible to violation of their human rights: they may be arbitrarily arrested and detained, and they may be intimidated or even tortured by the authorities that ought to be protecting them. Their right to a fair trial is under pressure, as is their freedom of association and expression. In a few countries, the right to life is even at stake: in Iran, Saudi Arabia, Sudan and Yemen, homosexual acts are capital crimes.

Even in countries that do not criminalise homosexual acts, gays are often in a very difficult position – accepted for who they are by neither their families, nor their government, nor society as a whole. They face major obstacles to enjoying their economic, social and cultural rights; discrimination, exclusion and even aggression are never far away. Indeed the realities of life are harsh for LGBT people.

Will this statement be enough to improve their situation? Of course not. Is this statement a major step forward towards recognising their equal rights? It most definitely is. Today is the first time in the history of the United Nations General Assembly that such a large group of member states has spoken out against discrimination based on sexual orientation.

This statement was a joint initiative of France and the Netherlands. A core group of countries from all the UN's regional groups helped us draft the statement and gather support for it. I am particularly grateful to Argentina, Brazil, Croatia, Gabon, Japan and Norway for putting their weight firmly behind this initiative. I would also like to thank all the member states that decided to sign the statement for their support.

What this statement attempts to do is call the UN's attention to human rights violations and discrimination based on sexual orientation. Other grounds for discrimination, such as race, colour and sex, are widely condemned – and rightly so. Discrimination based on sexual orientation, however, has been neglected by the international community. In many countries, the issue is dismissed or ignored. This statement aims to make debate about human rights and sexual orientation commonplace at the UN. It is not meant to be a source of division, but simply to eliminate the taboo that surrounds the problem: to make possible a debate like the debates we have on so many other difficult issues here at the UN. Some may still find this issue controversial; they may have objections due to their personal convictions or cultural background; but they should at least be prepared to discuss the question openly. To me, launching an open discussion is this statement's great merit. The fact that it has attracted broad support from countries in all the regional groups shows that bridges *can* be built. That is a source of hope for the future.

Today's statement is not radical. After all, the Universal Declaration of Human Rights makes absolutely clear that *everyone* is entitled to the rights and freedoms it enumerates, without distinction of any kind. Human rights apply to all people, in all places and at all times. So they apply to gays, lesbians, bisexuals and transgender people too. As long as there is a divide between the principle of universality and the practice of everyday life, statements like this are vital. There is a need for

concerted international action to promote the rights of vulnerable groups in our societies that are susceptible to discrimination.

Non-discrimination is the principle around which equal rights evolve. It would be a big step forward if we could make explicit that sexual orientation is not valid grounds for discrimination, any more than race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. To this end, I would welcome a General Comment of the Human Rights Committee on article 2 of the International Covenant on Civil and Political Rights, which deals with non-discrimination. I would also like to propose that the UN Special Rapporteurs pay due attention to sexual orientation within their respective mandates. And I hope the Office of the High Commissioner will take up the fight against discrimination based on sexual orientation.

We should not leave this room merely with words in our heads, but also with a resolve to act. Today's statement should be the beginning of a longer process. The Netherlands will remain strongly committed to promoting and protecting human rights for gay, lesbian, bisexual and transgender people. The Dutch government has endorsed the Yogyakarta Principles, which give an overview of human rights and fundamental freedoms in relation to sexual orientation. I call on other states to also embrace these Principles. Let's turn today's historic moment into a historic movement!

Thank you.