



Delegation of Canada
to the OSCE

Délégation du Canada
auprès de l'OSCE

**DELEGATION OF CANADA TO THE OSCE
JOINT STATEMENT DELIVERED BY AMBASSADOR NATASHA CAYER
ON INTERNATIONAL DAY AGAINST HOMOPHOBIA, TRANSPHOBIA,
AND BIPHOBIA (IDAHOTB)
1228th MEETING OF THE PERMANENT COUNCIL
16 MAY 2019**

Mr. Chairperson,

I have the honour to deliver this statement on behalf of Iceland, Norway, and Canada.

On May 17, we will mark the International Day against Homophobia, Transphobia, and Biphobia (IDAHOTB). The theme of this year's IDAHOTB is "Justice and Protection for All". While there is much progress to celebrate since 2004 when the day was established, discrimination, violence and general intolerance in relation to lesbian, gay, bisexual, transgender, queer, and intersex (LGBTI) persons persists. There remains much to do.

Our countries are committed to advocating for the human rights of LGBTI persons and to addressing the barriers to equality that continue to limit their ability to enjoy their human rights, both within our countries and throughout the OSCE region. We call on all participating States to eliminate laws and policies that discriminate against persons based on their sexual orientation, gender identity or expression, or sex characteristics, and to combat all acts of violence targeting LGBTI persons.

Mr. Chairperson,

In celebrating this international day, some participating States have questioned whether discrimination and violence targeting LGBTI persons are matters for the OSCE, often arguing that we have no commitments specifically related to LGBTI individuals. We resolutely assert that discrimination and violence against LGBTI individuals are indeed OSCE issues for two principal reasons:

- 1) Human rights and the Human Dimension are part of the OSCE's comprehensive concept of security. The Helsinki Final Act recognized "the universal significance of human rights and fundamental freedoms, respect for which is an essential factor for...peace, justice, and well-being". This has been reaffirmed by participating States at OSCE Summits in Budapest 1994, Istanbul 1999, Maastricht 2003, and Astana 2010.
- 2) Human rights are universal and indivisible, and all human beings have the inherent right to live free from discrimination. Our commitments are not predicated on particular targets of discrimination, but on the fact that the discrimination itself is targeted upon a person or group of persons based on their characteristics or status; and we, as participating States, have recognized the importance of combatting all forms of discrimination.

It follows that discrimination and violence directed against LGBTI persons constitute threats to comprehensive security, and are serious concerns to be addressed by this organization. As a leading regional organisation in tackling hate crime, intolerance and discrimination, we believe that the OSCE is a forum in which discussions on these issues must take place. This is about the credibility of our affirmation of the importance of human rights, and about having a comprehensive security approach to the challenges faced by our region and all its people, without exceptions.

Mr. Chairperson,

Education, awareness raising, and dialogue have helped tremendously in addressing stereotypes and prejudice against LGBTI persons over the past decades. Despite this, LGBTI communities are still too often victims of discrimination, intolerance and hate-motivated violence. Seventy-three countries still criminalize same-sex conduct between consenting adults, including two OSCE participating States. Discouragingly, in the OSCE region, we have also seen new laws that seek to criminalize certain aspects of LGBTI life, or the simple fact of discussing LGBTI-related issues publicly.

We are particularly concerned about the situation of LGBTI persons in Chechnya. In December 2018 the Moscow Mechanism report of Professor Benedek examined allegations of impunity for reported human rights violations and abuses in Chechnya directed towards individuals based on perceived or actual sexual orientation or gender identity, as well as against human rights defenders, lawyers, independent media, civil society organization and others. The report found “overwhelming evidence that there have been grave violations of the rights of LGBTI persons in the Chechen Republic”. The report also found that in the Chechen Republic the “institutions of the Russian Federation are not effective and a special regime of impunity is tolerated for the sake of stability”. The report provides a number of concrete recommendations for the Russian Federation to undertake to address the impunity for crimes committed by Chechen authorities against LGBTI persons. To the best of our knowledge, however, Russia has not acted upon any of the recommendations.

In this regard, we remain deeply concerned about the ongoing human rights violations in Chechnya, including those directed at LGBTI persons, and the regime of impunity which persists today, as evidenced most recently in a May 8 Human Rights Watch report of ongoing LGBTI persecution. We call on the Russian federation to implement the recommendations of the report, to ensure the protection and respect for the rights of all its citizens, and to end impunity for human rights violations.

Mr. Chairperson,

In conclusion, our countries must and will continue to fight for justice and protection for LGBTI persons, both in our own countries and around the world. All OSCE participating States must live up to their commitments and reject all discrimination and violence against LGBTI communities, both in word and in deed.

Thank you.