

Statement by the United States on the Panel on Discrimination and Violence
based on Sexual Orientation
19thth Session of Human Rights Council
Geneva, March 7, 2012

The United States thanks the High Commissioner for her continued promotion of the human rights of LGBT persons, and for her office's December report clarifying the numerous ways in which the human rights of LGBT persons are protected under international law. We thank the 85 countries who joined a joint statement calling for an end to criminalization or violence against LGBT people in March of 2011. And we express our appreciation for South Africa's leadership on the resolution last June—the first-ever UN resolution affirming the human rights of LGBT people—which called for the High Commissioner's report and our discussion today.

In December, Secretary of State Clinton spoke here in Geneva about how protecting the human rights of all people, including LGBT people, remains part of the urgent unfinished work for those committed to making human rights a human reality. She came in a spirit of humility. She spoke about our own country's ongoing work—including the repeal of “don't ask, don't tell” which took effect last year and allows gay men and lesbians to serve openly in our armed forces. And she acknowledged that, for many, accepting that sexual orientation and gender identity do not affect a person's human rights is hard. But she also explained why it is both necessary and right.

So while she noted that sometimes religious or cultural values are offered as a reason to violate or not to protect the human rights of LGBT people, she also observed that “our

commitments to protect the freedom of religion and to defend the dignity of LGBT people emanate from a common source. For many of us, religious belief and practice is a vital source of meaning and identity, and fundamental to who we are as people. And likewise, for most of us, the bonds of love and family that we forge are also vital sources of meaning and identity... Human rights are universal and cut across all religions and cultures... While we are each free to believe whatever we choose, we cannot do whatever we choose, not in a world where we protect the human rights of all.”

And so, she said, “Like being a woman, like being a racial, religious, tribal, or ethnic minority, being LGBT does not make you less human. And that is why gay rights are human rights, and human rights are gay rights. ... No matter what we look like, where we come from, or who we are, we are all equally entitled to our human rights and dignity.” And

that's why a commitment to the universality of human rights remains a central tenet of U.S. foreign policy.

There is much work to be done. Today, 76 countries still criminalize consensual same-sex relationships or conduct, five under penalty of death, and in far more countries, LGBT people face hatred, discrimination, violence or even death because of who they are or who they love.

The United States would welcome the panel's comments on how protection of the human rights of LGBT persons is fully compatible with and in fact enhances protection of human rights—including freedom of religion, freedom of expression, and freedom of association and assembly—for all individuals.