

## [Human Rights Council to discuss sexual orientation & gender identity and Arab Spring](#)

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The Human Rights Council (the Council) will hold its 19th session from 27 February until 23 March. The detailed draft programme of work and the list of reports can be found [here](#), while information for NGOs about how to participate is available [here](#). During the organisational meeting for the 19th session, held on 13 February, the President of the Council, Ms Laura Dupuy Lasserre, presented the programme of work for the 19th session, highlighting the different panel discussions that will take place and allowing member states to briefly present their sponsored draft resolutions.

Key areas of interest at this session will include the Council's continued follow-up to the events of the 'Arab Spring' and continuing developments in that area, with interactive dialogues with the Commissions of Inquiry into the situations in Syria and Libya. Also in response to those events, Romania will present a draft resolution on the role played by the rule of law in strengthening democracies. In addition, Sweden announced that it would co-sponsor a panel discussion on freedom of opinion and expression on the Internet, an issue that gained particular prominence due to the role played by social networking in the protests in countries such as Egypt. The panel will focus on how to protect and practically respect fundamental rights, and will include representatives of important stakeholders such as Google and Al Jazeera.

A panel discussion will be held on 7 March on the issue of sexual orientation and gender identity, co-sponsored by South Africa and Brazil. The discussion is to be based on issues raised in the study commissioned from the High Commissioner for Human Rights, as requested by Council resolution 17/19, on 'discriminatory laws and practices and acts of violence against individuals based on their sexual orientation and gender identity'. The report recommends, amongst other things, that laws criminalising homosexuality be repealed, that comprehensive anti-discrimination laws be put in place which include discrimination based on sexual orientation and gender identity, and that asylum laws do not allow return of such persons to countries where their life or freedom would be at risk because of this. At the organisational meeting, South Africa stated that it hoped for an open dialogue to promote understanding on this issue, but that the opinions of all participants would be respected. However, comments during the adoption of the resolution, as well as comments from both Libya and Pakistan during the organisational meeting on their lack of support for resolution 17/19, suggest that it will be a difficult debate. Pakistan, on behalf of the OIC, 'objected strongly' to the panel, which it said had 'nothing to do with human rights'. Libya claimed that the discussion would have a negative impact on the 'survival of the human species, the economy, and the family as the basis of society', adding that if it had not been suspended from the Council at the time it would have voted against the resolution. The President responded firmly to these interventions, noting that the Council must 'deal with all questions of human rights, without exception' and underlining non-discrimination as a 'key principle of human rights'.

Following the organisational meeting, Pakistan has circulated a [letter objecting to the panel](#), including by misrepresenting the Vienna Declaration and Programme of Action (VDPA). Among other things, Pakistan claims that in the VDPA the international community 'agreed that (...) national and regional particularities and various historical, cultural and religious backgrounds must be borne in mind', which puts the original meaning of the VDPA on its head. The relevant paragraph of the VDPA affirmed that '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.' It is to be hoped that despite these negative signals from a number of States, the panel itself will be held in a constructive spirit, befitting universal mandate of the Council to protect the human rights of all.

The Council will also hold an interactive dialogue with the independent expert on the situation in Côte d'Ivoire. The dialogue will focus on assessing the progress that has been made to implement the recommendations made by the Commission of Inquiry which was sent to Côte d'Ivoire to investigate the serious allegations of abuses and violations of human rights following the civil unrest after the 2010 presidential elections. The Independent Expert, Doudou Diène, has been assisting the Government of Côte d'Ivoire in its implementation

of those recommendations. The dialogue will also include a briefing on the cooperation between the African Union, the Economic Community of West African States, the Ivorian authorities, and the United Nations Operation in Côte d'Ivoire.

The Special Rapporteur on human rights defenders will present her annual report to the Council at this session. The report covers the situation of selected defenders at risk, including journalists and media workers; defenders working on land and environmental issues; and youth and students defenders.

The mandates of the Special Rapporteur on the situation of human rights in Iran is due for renewal at this session, with Sweden stating that it would be presenting a resolution to that effect. The Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea, and the Special Rapporteur on the situation of human rights in Myanmar, are also up for renewal at this session. Furthermore, four new mandate holders will be appointed during the 19<sup>th</sup> session:

- Special Rapporteur on the promotion of truth, justice, reparation & guarantees of non-recurrence
- Independent Expert on the situation of human rights in the Sudan
- Special Rapporteur on the situation of human rights in the Syrian Arab Republic
- Independent expert on the promotion of a democratic and equitable international order

Denmark on behalf of the European Union (EU) announced it would be sponsoring an initiative on the topic of freedom of religion and belief. Pakistan also stated that it would introduce a resolution under item 9, which is likely to be its resolution on combating intolerance and discrimination on the basis of religious belief. This resolution was first adopted at the 16th session of the Council in 2011, and replaced that State's divisive resolution on 'combating defamation of religions'.

### **List of resolutions to be introduced at the 19<sup>th</sup> session as announced by States during the organisational meeting:**

#### **Costa Rica, Slovenia, Maldives, Peru, Switzerland, Uruguay**

- The link between and the impact of the environment on human rights

#### **Cuba**

- The right to food
- Composition of the staff of the High Commissioner's office
- Social forum
- Procedural resolution to renew the mandate of Independent Expert in the field of cultural rights

#### **Egypt on behalf of NAM**

- Enhancement of international cooperation in the field of human rights

#### **Finland, Germany**

- The right to adequate housing in the context of natural disasters

#### **Mexico**

- Resolution on judicial personality and civil registry and its role in the protection of human rights
- Protection of human rights in combating terrorism

#### **New Zealand and Mexico**

- The participation in public life and political affairs of persons with disabilities.

#### **Pakistan on behalf of the OIC**

- Resolutions under item 7 and 9 (the specific projects are to be circulated later, but the Item 7 resolution will

be on the Occupied Palestinian Territories, and Item 9 on combating intolerance and discrimination on the basis of a person's religious belief).

#### **Portugal**

- Omnibus resolution on economic, social, and cultural rights

#### **Romania, Norway, Peru**

- The influence of rule of law in strengthening democracy

#### **Russian Federation**

- The integrity of judicial systems, with focus on the right to free and impartial judicial hearing, the strengthening of the judiciary organs and the prevention of human rights violations

#### **Sweden**

- Extension of the mandate of the Special Rapporteur on the human rights situation in Iran

#### **Uruguay**

- Umbrella resolution on the rights of the child

**Below is a list of panel discussions to be held during the 19th session of the Human Rights Council, sorted by sponsors. More information is available on the [HRC extranet](#) (username: hrc extranet password: 1session).**

#### **Austria**

- Rights of minorities

#### **Brazil**

- The protection of human rights in the context of HIV and AIDS

#### **GRULAC and EU**

- Rights of the child (full-day)

#### **Mexico and New Zealand**

- Human rights of persons with disabilities

#### **South Africa, Brazil**

- Human rights, sexual orientation, and gender identity

#### **Sweden**

- Panel on freedom of expression on the Internet

#### **Thailand**

- Enhancement of technical cooperation and capacity-building in the field of human rights

#### **UK, Brazil**

- Promoting human rights through sport and the Olympic ideal