

HRC 38

Item 3: Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Speaker: Linda Boumann

Mr President

This is a joint statement.

We welcome the reports of the Independent Expert on violence and discrimination on the basis of sexual orientation and gender identity and the Special Rapporteur on Freedom of Association and Assembly.

We draw the Independent Expert's attention to the joint NGO written submission. LGBTI defenders are some of the most at risk; suffering specific and escalating challenges, *violence and discrimination*. The activities of LGBTI rights organisations are also restricted. CHESA in Tanzania was recently suspended on allegations of promoting homosexuality; allegations that directly contravene the rights to freedom of association and expression.

We call on the Expert to follow recommendations made in the joint NGO submission and *strongly* reiterate the call reflected in his report calling on States to take stronger measures to protect LGBT and gender non-conforming defenders and create a safe and enabling space for their work.

We echo the Expert's identification of entrenched stigma and prejudice and a binary understanding of sexual orientation and gender identity, as root causes of violence and discrimination on the basis of sexual orientation and gender identity. We urge States to develop laws and policies addressing hate speech, violence and discrimination; acknowledging the rise in such crimes correlates with a rise in conservative leaders, traditional and religious groups.

Emphasising the universality of the right to adequate health care, we reiterate the Expert's call to improve the health of LGBT and gender non-confirming persons and guarantee quality health care services.

Data collection contributes to ensuring lived realities of LGBTI people are represented in policy and service development. We welcome the Expert's recommendations on procedures and practices, and emphasise that data collection must be consultative and informed by affected populations if it is to assist to bridge disconnect between decision makers and affected groups, and address the gap in the protection of fundamental human rights.

Thank you