

**Human Rights Council – 17th Session
(Geneva, 30 May - 17 June 2011)**

**Explanation of vote
"Sexual Orientation" (L.9 rev 1)**

I have the honour to speak on behalf of the Member States of the European Union that are members of the Human Rights Council. This explanation of vote was agreed by the EU as a whole.

Mr President,

The European Union would like to thank South Africa for tabling this very important resolution.

We would also like to commend South Africa for the transparent approach during negotiations and willingness to consider any suggested amendments. In this respect we thank the delegation of South Africa for accommodating many EU concerns, thus making it possible for us to support the resolution.

This resolution is an important step in addressing the issue of discrimination and violence against people because of their sexual orientation and gender identity. The modalities envisaged are simple and transparent. It seeks to document discriminatory laws, practices and acts of violence in a study commissioned by the High Commissioner and to organise a panel discussion to consider the findings.

As such, we believe it represents a genuine attempt to create an open, constructive space for dialogue on a sensitive issue.

Mr President,

The resolution does not seek to create new rights but simply affirms the application of existing human rights standards to those who face human rights abuses and violations because they are lesbian, gay, bisexual and transgender.

During this session of the Human Rights Council, we have heard Special Rapporteurs detail some horrendous examples of violence against people because of their sexual orientation and gender identity.

We have heard how, during the past 18 months, 31 people were murdered in one country alone because of their sexual orientation. We have heard about women being violently raped and tortured because of their sexual orientation, in an attempt to "put them straight". We have heard about people held in arbitrary detention or sentenced to death, some of them minors, because of their sexual orientation.

We also know that such acts are often under-documented because victims of sexual violence are reluctant to bring in formal complaints, when proper procedures exist.

So we need to have a fuller picture of such acts of violence across the world and we then need to see how we can best address this question.

Although issues of sexual orientation and gender identity are sensitive issues for many States, we hope we can all agree that no human being should face such violence, torture, stigmatisation and abuse.

Mr President,

For these reasons, and in recognition of the fact that this Council is “responsible for promoting universal protection of all human rights and fundamental freedoms *for all*, without distinction of any kind and in a fair and equal manner, the EU will be voting in favour of the resolution.

I thank you for your attention.