



CO-CHAIRS' SUMMARY OF CONCLUSIONS

Testimonies at the Oslo Conference on Human Rights, Sexual Orientation and Gender Identity (15-16 April 2013), including the regional inputs, have confirmed that persons in all regions are subject to violence and discrimination based on sexual orientation and gender identity. They face multiple barriers in their everyday lives, systematically denying their enjoyment of the fundamental rights to which all human beings are entitled. This is unacceptable.

Based on the conclusions of the report entitled 'Discriminatory Laws and Practices and Acts of Violence against Individuals based on their Sexual Orientation and Gender Identity' by the UN High Commissioner on Human Rights, the outcomes of the regional seminars recently held in Kathmandu, Paris and Brasilia, regional inputs from Africa, and the global dialogue in Oslo, which brought together more than 200 participants from 84 countries, we present the following summary of conclusions:

1. We recall the UN Human Rights Council resolution 17/19, and we welcome the report by the UN High Commissioner on Human Rights and the ensuing panel discussion that took place in Geneva in March 2012, which have provided a solid foundation on which to build a framework for addressing discrimination and violence based on sexual orientation and gender identity;
2. We further welcome the regional seminars and express appreciation to the host Governments, and to the States and stakeholders from all regions who have participated constructively in these discussions. We underline the essential role played by civil society in all regions, including human rights defenders working to counter discrimination and violence based on sexual orientation and gender identity;
3. We acknowledge that the issues addressed are sensitive for many. Other struggles, such as for racial and gender equality, have been equally controversial in their time, and these objectives are now universally recognized. Lesbians, gays, bisexuals and transgender people are part of all our societies, and on this 20th anniversary of the Vienna Declaration and Program of Action, we recall that while "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";
4. We applaud the positive steps taken in all regions to address acts of violence and discriminatory laws and practices based on sexual orientation and gender identity, such as public awareness and sensitivity campaigns, including for public officials, law enforcement personnel, policy-makers, and health care and education providers, removing barriers to access to equal health care, providing documentation that reflects each person's gender identity, and legal reforms, including measures to repeal criminal provisions against same-sex conduct, and inclusion of sexual orientation and gender identity in antidiscrimination legislation, as well as the provision of support for activities aimed at protecting and promoting human rights on these grounds;
5. While welcoming such progress, we join with participants in expressing grave concern at continued and systemic acts of violence and discriminatory laws and practices based on sexual orientation and gender identity in all regions of the world, such as hate crimes, torture, sexual violence, killings, denials of freedom of expression, association, and peaceful assembly, arbitrary detentions, criminal sanctions, police misconduct and abuse as well as denial of transgender identity, and discrimination in accessing economic, social and cultural rights;

6. We solemnly affirm that human rights and fundamental freedoms should be guaranteed for all. No one should face violence or discrimination on any ground, including on the basis of sexual orientation or gender identity;

7. On the national level, we emphasize the obligations of States under international human rights law, and we call upon States to gather data more systematically and give domestic effect to the action-oriented recommendations put forward by the High Commissioner on Human Rights in her report, and we encourage continued engagement and efforts by national human rights institutions and civil society, as well as UN agencies, in support thereof;

8. On the regional level, the Conference welcomed the measures undertaken to address these issues, including a series of relevant resolutions by the Organization of American States and the work done by the Inter-American Commission on Human Rights, the recommendations by the Council of Europe and the jurisprudence of the European Court of Human Rights, the work done by the European Union, the increasing attention paid to the issues by the African Commission on Human and Peoples' Rights as well as in the Asia-Pacific region, and encouraged continued and enhanced engagement in this field;

9. On the global level, we reaffirm the responsibility of the UN Human Rights Council to address human rights violations against all persons, including on the basis of sexual orientation and gender identity. We recognize the ongoing work of treaty bodies, special procedures and under the Universal Periodic Review, and encourage continued and strengthened efforts in this area. The identified gaps and challenges are pervasive in all regions and require systemic solutions. Against this background, there is a need to integrate the issues systematically in the work of the United Nations, through the establishment of a relevant mechanism, at the appropriate time, in order to:

- a) study and document in a comprehensive and recurrent manner trends, developments, challenges and opportunities in relation to human rights, sexual orientation and gender identity;
- b) recommend concrete and effective strategies to better protect human rights in relation to sexual orientation and gender identity, including by encouraging good practices, enhancing understanding of the application of international human rights law in this area, and promoting constructive and informed dialogue;
- c) work collaboratively with other UN bodies and encourage mainstreaming of these issues throughout the UN system;
- d) present reports to the Human Rights Council and engage its members in interactive dialogue;
- e) offer technical assistance to States to assist them in strengthening human rights protection on these grounds;

10. It is often tempting to focus on what divides us, rather than on what unites us. We all share the goal of working together towards a world where no-one faces violence or discrimination on any ground. We commend the willingness of States and stakeholders from all regions to participate in the discussions to this end. As the UN Secretary General has noted, "the time has come", and we look forward to working with all parties to take concrete and practical steps to address violence and discrimination based on sexual orientation and gender identity, and to help ensure that those who face violations on these grounds are treated with equal dignity and with the fundamental respect to which all human beings are entitled.

Oslo, 16 April 2013