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STATEMENT BY THE EUROPEAN UNION AT THE 1268th MEETING OF THE OSCE PERMANENT COUNCIL

21 May 2020

On the occasion of the International Day against Homophobia, Transphobia and Biphobia

On 17 May, we celebrated the International Day against Homophobia, Transphobia and Biphobia. The European Union pays tribute on this occasion to human diversity in all its richness, and to the right of every individual to be proud of who he or she is, to define his or her own identity and to love the person of his or her choice. It condemns all persecution, discrimination, brutality and extreme forms of violence, including murder and torture, committed on the grounds of a person's real or perceived sexual orientation or gender identity.

As the High Representative of the European Union for Foreign Affairs and Security Policy, Josep Borrell, stressed on 17 May, now, more than ever, it is time for the international community to renew its commitments to combat all forms of violence, discrimination, hate speech and hate crimes against lesbian, gay, bisexual, transgender and intersex (LGBTI) persons on the grounds of sexual orientation, gender identity or any other grounds and to fight against impunity for human rights violations and discrimination against LGBTI persons.

There can be no hierarchy among the different grounds for discrimination, all of which are equally reprehensible and run counter to the universality of human rights, the fundamental values of the EU and the commitments undertaken by all OSCE participating States. As long as such discrimination persists, the EU will continue to work to put an end to it.

According to the largest survey to date on hate crimes and discrimination against LGBTI persons, published recently by the European Union Agency for Fundamental Rights, many LGBTI people still feel that they have to hide their sexual orientation or gender identity in order to avoid discrimination, hate or even violence. This sadly illustrates the relevance of the theme chosen for this year's international day, "Breaking the Silence". At a time when too many LGBTI people are still forced to live in the shadows, this theme reminds us that it is essential that all LGBTI persons are able to enjoy the same protection of their rights without discrimination in accordance with the human rights enshrined in international texts.

The EU remains concerned that sexual orientation and gender identity continue to be used to justify serious human rights violations worldwide. In Madrid in 2007, all OSCE participating States reiterated their commitment to "effectively combat all forms of discrimination". However, in the OSCE area, LGBTI people continue to be victims of discrimination or acts of hate and violence on the grounds of their real or perceived sexual orientation or gender identity. Same-sex relations are even still punishable by law in some OSCE participating States.

LGBTI persons may be left particularly exposed to serious problems as a result of the COVID-19 pandemic. Stigma, discrimination and violence against LGBTI people makes them even more vulnerable, especially in accessing health services. LGBTI persons have also been victims of violence and abuse amidst the rise in domestic violence during confinement due to the coronavirus.

We remain deeply concerned about the situation in Chechnya, where crimes committed against LGBTI people are a flagrant violation of Russia's international commitments. We once again urge Russia to conduct a prompt, transparent and thorough investigation into all these acts and to ensure that all those responsible are brought to justice. The lack of action by the federal authorities reinforces the climate of impunity in Chechnya, which has also been documented in the report prepared in the framework of the OSCE Moscow Mechanism. We reiterate our call on Russia to fully implement the recommendations contained in that report.

The struggle for the respect of human rights could not take place without the courageous commitment of human rights defenders, activists, journalists and other media actors, as well as civil society organizations working to defend the rights of LGBTI people. We welcome the contribution of the Office for Democratic Institutions and Human Rights (ODIHR) in supporting civil society organizations working to promote mutual respect and combat intolerance and discrimination, including hate crimes, and in helping them to build partnerships among themselves. We encourage the ODIHR, the other autonomous institutions, the field operations and the Secretariat to strengthen their co-operation in this regard and to develop their relationship with civil society organizations. It is our shared responsibility to create the conditions for safer and more tolerant societies as part of our comprehensive approach to security.

In conclusion, we strongly reaffirm that LGBTI people have the same rights as all other individuals and these rights cannot be denied.

The candidate countries the Republic of North Macedonia¹, Montenegro¹ and Albania¹, the country of the Stabilisation and Association Process and potential candidate Bosnia and Herzegovina, as well as Ukraine, Georgia and San Marino, align themselves with this statement.

1 The Republic of North Macedonia, Montenegro and Albania continue to be part of the Stabilisation and Association Process.