

OSCE Human Dimension Implementation meeting 2012**Canadian Statement for Working Session 14:****Tolerance and non-discrimination II:****Review of the implementation of commitments on promotion of mutual respect and understanding****Wednesday, 3 October 2012**

Madam Moderator,

Canada welcomes the efforts of the OSCE in combatting discrimination and encourages participating States to combat all forms of discrimination, including on the basis of sexual orientation.

Canada remains deeply concerned that there are citizens in the OSCE region who experience high levels of violence for their perceived or actual sexual orientation. These violations can involve extreme forms of violence and hate. The recent increased attention and dialogue around this issue serves as a reminder of the need and importance for all participating States to respect the human rights of all people including gays and lesbians.

As Minister of Foreign Affairs John Baird underscored at the OSCE Ministerial Council last December: “We need to take steps to ensure that discrimination on the basis of sexual orientation is not allowed under law. It is unacceptable that people in the OSCE region can still be attacked and imprisoned simply for their sexual orientation”.

Moreover, the threat or use of criminal sanctions based on a person’s sexual orientation undermines human dignity.

The promotion and protection of human rights is an integral part of Canadian foreign policy. Canada stands up for human rights and takes principled positions on important issues to promote freedom, democracy, human rights and the rule of law around the world.

Unfortunately, several participating States have regressive and punitive laws on the books that criminalize homosexuality. In some countries, these laws are unenforced hang-overs from an earlier era; in others, they are actively implemented. The criminalization of homosexuality is incompatible with the core OSCE value of human rights. We urge all participating States to live up to their OSCE commitments. We are also deeply concerned about instances where citizens are victims of hate crimes, and we call on national authorities to conduct quick and thorough investigation of such cases. Those who commit crimes must be held to account.

Human rights are to be enjoyed by everyone. Canada supports efforts to decriminalize homosexuality and combat violence directed towards persons on the basis of their sexuality. We are committed to working with other countries to promote and protect the human rights of all citizens regardless of sexual orientation.

We urge all participating States to take the necessary measures to ensure that sexual orientation never be the basis for criminal penalties, in particular executions, arrests, or detention.

We firmly believe it is the role of the state to protect its people and to accept those who may be different into their society, whether the difference be gender, sexuality, or faith.

Finally, I draw your attention to the political and moral commitment participating States have shared since the adoption of the 1990 Copenhagen Document (5.9), namely that:

"all persons are equal before the law and are entitled without any discrimination to the equal protection of the law. In this respect, the law will prohibit any discrimination and guarantee to all persons equal and effective protection against discrimination on any ground"...

Thank you.