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STATEMENT BY THE EUROPEAN UNION AT THE 1228th MEETING OF THE OSCE PERMANENT COUNCIL

16 May 2019

On the International Day against Homophobia, Transphobia and Biphobia

As the Universal Declaration of Human Rights states, recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world.

On the occasion of the International Day against Homophobia, Transphobia and Biphobia that we are celebrating tomorrow, the European Union (EU) reaffirms its determination to combat all forms of discrimination and hate crimes based on sexual orientation and gender identity. It supports the promotion and protection of fundamental rights and the universality of human rights.

We condemn all discrimination, persecution, brutality and violence, including torture and murder, committed on the basis of sexual orientation or gender identity. All OSCE participating States should prosecute persons involved in the perpetration of these acts and take measures to prevent future abuses and violations.

The theme of this year's International Day against Homophobia, Transphobia and Biphobia is "justice and protection for all". It reminds us of the imperative need to combat impunity and that all persons should be able to enjoy the same protection of their rights without discrimination and with due respect for human rights as recognized in international texts. This should guide the action of the OSCE participating States, which reiterated their commitment in Madrid in 2007 to "effectively combat all forms of discrimination". In that regard, we stress that there cannot be any hierarchical distinction between the different grounds for discrimination. They are all reprehensible.

The EU is very concerned that sexual orientation and gender identity are still used to justify serious violations of human rights throughout the world. In the OSCE area, lesbian, gay, bisexual, transgender and intersex persons (LGBTI) continue to be victims of discrimination or acts of hatred and violence on account of their real or presumed sexual orientation or gender identity. Same-sex relations are still criminalized in some OSCE participating States.

We are deeply concerned by the situation in Chechnya. The new cases of arbitrary detention, physical attacks, humiliation and torture contained in recent reports by civil society organizations and the media are to be deplored. We once again urge Russia to conduct a rapid, efficient and in-depth inquiry into all of these acts and to ensure that all of the perpetrators and their accomplices are brought to justice. The absence of action by the federal authorities reinforces the climate of impunity that reigns in Chechnya, as documented in the report under the OSCE Moscow Mechanism. We call on Russia once again to fully implement the recommendations contained in that report.

We are fully aware that, even in our societies, violence and discrimination against LGBTI persons is not a thing of the past. However, we remain firmly resolved to guarantee respect for the human rights of all. By doing so, we assume a joint responsibility for creating conditions conducive to safer and more tolerant societies within the framework of our comprehensive approach to security.

This combat could not take place without the courageous commitment of human rights defenders, activists, journalists and other media actors, and civil society organizations working to defend the rights of LGBTI persons. We recognize the contribution of the Office for Democratic Institutions and Human Rights (ODIHR) in support of civil society organizations working to promote mutual respect and to combat intolerance and discrimination, including hate crimes, and in enabling them to form partnerships among themselves. We urge the ODIHR, the other autonomous institutions, the field missions and the Secretariat to step up their co-operation in this regard and to intensify their relations with civil society organizations.

In conclusion, we insist that LGBTI persons have the same rights as all other individuals and that no right may be denied them.

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

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