



19th session of the Human Rights Council

Ending Violence and Discrimination
Based on Sexual Orientation and Gender Identity

Palais des Nations, Geneva

CONCEPT NOTE

Topic

The application of international human rights law to address incidents of violence, discriminatory laws and discriminatory practices against individuals based on their sexual orientation and gender identity.

Date and venue

Wednesday 7 March 2012, 12:00-15:00, Room XX, Palais des Nations

Mandate and background

In its resolution 17/19, the Human Rights Council expressed “grave concern” at acts of violence and discrimination in all regions of the world committed against individuals because of their sexual orientation and gender identity, and requested the High Commissioner for Human Rights to commission a study to “document discriminatory laws and practices and acts of violence against individuals based on their sexual orientation and gender identity, in all regions of the world, and how human rights law can be used to end violence and related human rights violations based on sexual orientation and gender identity.” By the same resolution, the Council decided to convene a panel discussion during its 19th session, informed by the High Commissioner’s study.

Focus and objectives

The focus of the panel will be on the range of human rights violations to which individuals are susceptible on the basis of their sexual orientation and gender identity and the options available to States and to the Human Rights Council in order to address these violations. The objective will be to facilitate constructive, informed and transparent dialogue on the issue of discriminatory laws and practices and acts of violence against individuals based on sexual orientation and gender identity and generate greater agreement among States on the way forward.

Panelists will be invited to discuss the findings and recommendations of the report of the High Commissioner on violence and discrimination based on sexual orientation and gender identity (document ref. A/HRC/19/41). The panel is an opportunity for States to share their national experiences and examples of good practice, and to consider how the Human Rights Council, as the United Nations’ peak intergovernmental body responsible for human rights worldwide, can ensure that in future it is kept adequately informed about and able to respond effectively to human rights violations based on sexual orientation and gender identity.

Speakers and panelists

Welcome address: **HE Laura Dupuy Lasserre**, President of the Human Rights Council

Message from **Mr Ban Ki-moon**, United Nations Secretary-General (TBC)

Opening statement: **Ms Navi Pillay**, High Commissioner for Human Rights

Moderation: **HE Abdul Minty**, Permanent Representative of the Republic of South Africa

Panel:

- **Irina Karla Bacci** (Brazil): Vice-President, National Council for LGBT Persons, Brazil
- **Laurence Helfer** (USA): Co-Director, Center for International and Comparative Law, Duke University, USA
- **Hina Jilani** (Pakistan): chair, Human Rights Commission of Pakistan; former Special Representative of the Secretary-General on human rights defenders
- **Hans Ytterberg** (Sweden): Chairperson of the Council of Europe Expert Committee on Discrimination on Grounds of Sexual Orientation and Gender Identity

Format

The panel will adopt an interactive format, with no presentation other than the opening statement, which will lay the ground for discussion and define the scope of the theme. The moderator will animate a live discussion by asking a different question to each panelist, who will be given a 5 to 7 minute slot to answer the question. This method will facilitate targeting the discussions on specific issues related to violence and discrimination on grounds of sexual orientation and gender identity, formulated around salient questions to which panelists are invited to respond based on their expertise and experience.

There will be two sequences of about 30 minutes each during which each of the five panelists will answer the questions asked. The first round of questions will be on “the range and prevalence of violence and discrimination based on sexual orientation and gender identity”, the second on “the application of international human rights law and implications for States at the national level and for the Human Rights Council.” This will be followed by 45 minutes of interaction with the floor with comments and questions from Member States and Observers, to which the panelists will reply.

Member States and Observers are encouraged to formulate their statements in terms of questions and sharing of experience in order to stimulate a constructive debate. The interactive discussion will be followed by concluding remarks by the moderator.

Outcome

The discussion will gather ideas on practical ways to strengthen protection of the human rights of individuals at risk of violence and discrimination on the basis of their sexual orientation or gender identity. It will identify concrete challenges and ways to overcome them through sharing of national experience and good practices. It will generate ideas and agreement on possible avenues to integrate information on human rights violations based on sexual orientation and gender identity into the work of the Human Rights Council and its mechanisms.

Background documents

- Human Rights Council resolution 17/19 “*Human rights, sexual orientation and gender identity*,” A/HRC/RES/17/19 (2011)
- Report of the High Commissioner for Human Rights “*Study on discriminatory laws and practices and acts of violence against individuals based on their sexual orientation and gender identity*,” A/HRC/19/41 (2011)