

Human Rights Council – 35th session
Item 3: IE on Sexual Orientation and Gender Identity



Thank you, Mr. President. Action Canada makes this statement on behalf of the Sexual Rights Initiative.

Sexuality and gender continue to be sites of oppression, discrimination, violence and subject to harsh religious, legal, political, economic and social control. They have become the sites of geopolitical contestation and are often leveraged to win elections, obscure or justify human rights abuses in other areas and cynically used to subvert the universality of human rights.

Attempts to narrow down or collapse the broad range of sexuality and gender rights to single issues – be they abortion, sex work, or sexual orientation and gender identity - run the risk of undermining the ways in which all of these rights intersect and are interrelated. Rights related to sexual orientation and gender identity and expression are, and should always be articulated as, part and parcel of sexuality and gender related human rights.

A rigorous analysis of the root causes, both systemic and structural, which sustain violence and discrimination based on sexual orientation and gender identity and expression is critical. It reveals connections between oppressions faced by individuals and groups, and the common denial of freedom to exercise autonomy of our bodies and lives. This root cause analysis helps to surface the links between poverty, inequality and issues of sexuality and gender, and therefore seeks to create real and tangible changes to the oppressive status quo.

Institutional reform, most commonly articulated in the demand for decriminalization of same sex practices and improved responses to discrimination and violence by the criminal justice system, are important steps that member states must undertake. On their own, however, they are insufficient to address the structural drivers or to change the patriarchal and homophobic norms and values that justify and normalize such violence and discrimination.

We urge the SOGI IE through his work with States and civil society, to integrate a broad and holistic perspective to sexual rights and to also be attentive to the ways in which women with non-normative sexualities and gender expressions are specifically invisibilised and silenced, while other groups remain privileged by patriarchy which remains present within mainstream work on sexual orientation and gender identity.