



*Renewal of the Mandate of the Independent Expert
on protection against violence and discrimination
based on sexual orientation and gender identity*

Compilation of the Adoption of the 2019 SOGI
Resolution 41/18



**Compilation of the Adoption of the 2019 SOGI Resolution 41/18 (Renewal of the Mandate of the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity) -
12 July 2019**

A compilation of the key statements, documents and outcomes of the adoption of the [Resolution 41/18](#) that renewed the mandate of the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity

Compiled by:

[Allied Rainbow Communities International](#) (ARC International);

[ILGA World](#);

[International Service for Human Rights](#) (ISHR)

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Introduction

In June 2016 a historical step was taken by the United Nations Human Rights Council (HRC) at its 32nd session with the [creation of the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity](#) (hereinafter 'IE SOGI'). [Resolution 32/2](#) established the mandate of this special procedure for a period of three years. In that same year, a challenge to the establishment of the [IE SOGI](#) mandate that took place [during the 71st Session of the UN General Assembly was successfully defended](#) following sustained advocacy.

During the 41st session of the HRC, a group of countries including Argentina, Brazil, Chile, Colombia, Costa Rica, Mexico and Uruguay -the core group- tabled draft resolution L.10/Rev.1 to renew the mandate of the IE SOGI for another three years.

Acknowledging the importance of the mandate to the LGBT community and the relevance of the work conducted by the two mandate holders over the last three years¹, civil society organizations around the globe working on LGBT issues started a campaign to #RenewIESOGI². The global call for the renewal of the mandate of the IE SOGI was signed by [1312 non-governmental organizations from 174 states and territories from all regions of the world](#).

With the joint efforts of the core group, supportive states and civil society, on 12th July 2019 the HRC adopted [resolution 41/18](#) and renewed the mandate of the IE SOGI. The votes were as follows: 27 votes in support ('yes votes'), 12 votes in opposition ('no votes') and 7 abstentions. This shows an upward trajectory when compared with 2016 when the voting was: 23 (yes), 18 (no) and 6 (abstentions). The number of 'yes' votes have increased by 4, the 'no' votes have decreased by 6. The number of original co-sponsors to the resolution also increased significantly in number from 39 in 2016 to 52 in 2019, as well as in regional representation. All of this signals a significant shift in the positions of the international community towards violence and discrimination on the basis of sexual orientation and gender identity (SOGI) issues. The number of supportive 'yes' votes was the highest since the first SOGI resolution in 2011 (for the exact numbers of the voting in 2016, check the chart in Annex 3).

When compared to the vote in 2016, some significant changes can be observed in relation to the regional groups positions towards the resolution.

Latin American and the Caribbean group (GRULAC)

The Latin American and the Caribbean group (GRULAC) remained supportive of the resolution, not only was the core group composed only by Latin American States, but all the GRULAC

¹ For further information on the work conducted by the IE SOGI, please consult: LELIS, Rafael Carrano; CHIAM, Zhan. The Role of the Independent Expert in the International Human Rights Framework on Sexual Orientation and Gender Identity. In: International Lesbian, Gay, Bisexual, Trans and Intersex Association: Lucas Ramon Mendos. (Org.). State-Sponsored Homophobia 2019. 13ed. Geneva: ILGA, 2019, p. 42-46.; NARRAIN, Arvind. The Mandate of the SOGI Independent Expert: The compelling case for its renewal in 2019.; ISHR, ILGA. Factsheet of the IE SOGI work.

² Some of the videos produced for the #RenewIESOGI campaign can be found in the ILGA's YouTube channel.

members of the Council voted in favor of the resolution. While Latin America has traditionally been more supportive this was the first time that an anglophone Caribbean country voted in favor of protection against violence and discrimination on the basis of SOGI in the Human Rights Council. In this sense the supportive vote of the Bahamas was a positive signal to the rest of the anglophone Caribbean.

'The Bahamas expresses its principled support of efforts to combat all forms of discrimination and violence against all persons on any grounds and to promote tolerance. [...] During the 71st session of the General Assembly, The Bahamas supported the resolution that adopted the annual report on the Human Rights Council, which included too Human Rights Council resolution 32/2, the establishment of the mandate for an independent expert on protection against violence and discrimination based on sexual orientation and gender identity. **We reaffirm that no person should be subjected to violence or discrimination on any grounds and it is for this reason that the Bahamas will vote in favor of draft resolution L.10 Rev.1.'**

Bahamas

Western European and Others Group (WEOG), and Eastern European Group (EEG)

WEOG and EEG countries have historically been supporters of resolutions on issues related to SOGI at the United Nations. That was also true in 2019, with all the countries in these two groups, with the exception of Hungary, supporting the renewal of the IE SOGI mandate. While it voted against all the hostile amendments, Hungary abstained in the final vote on the text of the resolution.

'Hungary reserves the sovereign right to define the personal scope and the content of family relations and of marriage in accordance with its national legislation. Therefore, Hungary will **abstain on resolution L.10/Rev.1.** We also wish to underline that Hungary deems of utmost importance that the mandate and activities are carried out by the UN Independent Expert on SOGI observes international law and internationally recognized human rights standards. **While the current legislation in Hungary reflects the prohibition of all forms of discrimination or violence on any ground or status, including on sexual orientation and gender identity we continuously believe that other avenues than the nomination of an independent expert might help countries in a better way to develop their own human rights legal framework.'**

Hungary

African Group

The African Group shifted from having a strong and vocal opposition to the mandate in 2016 to not having a unified position in 2019. While in 2016 there were no votes in support of the mandate from this regional group, in 2019 Rwanda, South Africa and Tunisia all voted 'yes' in Resolution

41/18. South Africa was vocal in its support for the mandate referring to the fact that it was the first country globally to prohibit discrimination on grounds of sexual orientation in its Constitution. This leadership exhibited by South Africa was an important departure from its position in 2016 when it abstained. The opposition in Francophone and Lusophone Africa was also diluted with Angola, the Democratic Republic of Congo, Senegal and Togo abstaining and Cameroon not voting in the final vote of the resolution.

‘Mr. President, the constitution of South Africa was the first in the world to outlaw discrimination based on sexual orientation and continues to inspire us to do the utmost to counter violence and discrimination based on sexual orientation and gender identity. **The work undertaken under this mandate indicates that a lot more still needs to be done to protect the human rights of the LGBTI people in recognition of their inherent dignity and their equal and inalienable rights and members of the human family which the Universal Declaration on Human Rights rejoins all countries to respect.** My delegation therefore supports the renewal of this mandate and will oppose the amendments and speak to this.’

South Africa

Asia and Pacific Group

In the Asia and Pacific Region there were supportive ‘yes’ votes from Fiji, Japan, Nepal and the Philippines. During the voting, Fiji was vocal in its support for the Resolution and referred to the protection against discrimination on grounds of sexual orientation and gender identity in its Constitution as the basis for its position.

The supportive ‘yes’ votes of the Philippines (which abstained in 2016) and of Nepal were pleasant surprises, illustrating the progress made in relation to positions on violence and discrimination on the basis of SOGI issues in these countries, but also reflecting the extensive work of civil society. However, the ‘abstention’ of India was a large disappointment following the recent landmark ruling that decriminalized same sex relations. Voting yes would have been consistent with India’s constitution.

‘In Fiji, the protection against discrimination on the basis of sexual orientation and gender identity is a fundamental right guaranteed under Fijian constitution. In Fiji, it is therefore unlawful to discriminate on the basis of sexual orientation and gender identity and we condemn it with the same severity as we do with all other forms of discrimination. Mr. President, it follows that in recognizing sexual orientation and gender identity as individual basis for protection against discrimination, we need to explicitly address the issue of discrimination against persons on these grounds. **It is our duty under the United Nations charter and the Universal Declaration of Human Rights and the mandate of this Council to protect the rights of every-**

one, everywhere. Mr. President, it is for this reason that the extension of this mandate is such an imperative. It is time for us to accept that sexual orientation and gender identity have been the basis, both in the past and at present, for acts of violence, degradation, dehumanization and indignity.'

Fiji

The Organization of Islamic Cooperation

The Organization of Islamic Cooperation (OIC) continued being vocal against the mandate, making the point that it 'opposes' 'polarizing and controversial concepts' and that the proposed resolution undermines 'cultural diversity'. With this perspective it introduced 10 hostile amendments which were presented and defeated during the 41st session of the Council. Once again - as in 2016 - the consensus among the group was broken; however, this time not only by Albania, but also by Tunisia. The ten amendments proposed to the draft resolution by Pakistan on behalf of OIC - except Albania and Tunisia - were exactly the same in content to the eleven amendments proposed in 2016; the only difference was that two of the previous amendments were merged into one. However, unlike 2016 when seven amendments were approved by the HRC, this time all the amendments were rejected by the HRC. As in the 2016 process, the defeated amendments attempted to erase references to the terms 'sexual orientation and gender identity' from the title and the text of the resolution. The amendments also sought to introduce preambular paragraphs on cultural relativism, sovereignty and the importance of 'respecting religious, cultural, social, political and economic backgrounds'. The amendments also sought to replace the operative paragraphs calling for the renewal of the mandate of the IE SOGI with a general report of the Office of the High Commissioner on Human Rights on discrimination and violence on various grounds.

As noted above the final result of the voting was the defeat of all hostile amendments and a vote by a clear majority to renew the mandate of the IE SOGI.

Civil Society Participation

'The OIC has a clear and well-defined position towards the issue at hand. The position is based on the following foundations: One, OIC Countries categorically reject violence and discrimination targeting any type of people. The resolution is not about protection against violence and discrimination, rather it aims at using the issue of violence and discrimination to advance another cause. It actually has the potential to generate violence against the very same group of people it claims to protect. Two, the letter and spirit of international human rights law has to be respected. **Imposition of concepts or notions that fall outside the scope of universally recognized human rights framework is a deliberate assault against the integrity of the international human rights system. The 44 human rights and fundamental freedoms outlined by the international bill for human rights do not include a right for individuals to be**

legally categorized in accordance with their sexual preferences or their private individual behavior.'

Pakistan on behalf of the OIC (except Albania and Tunisia)

As above mentioned, even though this report only reflects the voices of State representatives and the voting results, the work of hundreds of defenders and civil society organisations from all regions of the world must be acknowledged. Long before the campaign for the #RenewIESOGI was publicly launched, activists and human rights defenders from across the globe were developing and implementing strategies within a wider campaign seeking to ensure the mandate would be renewed. The positions expressed in the voting table that you will find at the end of this report were influenced by the tireless work carried out by human rights defenders and organisations in their nationally, regional and international outreach as part of this campaign.

Even though it is just one element of the #RenewIESOGI campaign carried out by the international coalition of CSOs, the signatures of the [global statement](#) for the renewal of the mandate of the IE SOGI provide an indication of the true global effort. Not only in the number of signatories itself (1312), but also in the regional diversity among CSOs.

Out of the **1312 organisations** that have signed this statement:

144 are **international** organisations

226 are **regional** organisations from all world regions

942 are **national** organisations out of which

173 from the **African Region**

236 from the **Asia and the Pacific Region**

108 from the **Eastern Europe Region**

237 from the **Latin America and the Caribbean Region**

187 from the **Western Europe and others Region**

The organisations come from **174 different UN member states and territories.**

This diversity was also present among the more than 70 advocates who attended and worked throughout the 41st session of the Human Rights Council in Geneva to ensure the continuation of the mandate of the IE SOGI.

In the following pages you will find the unofficial transcriptions of the voting on resolution [HRC/41/18](#) which renewed the mandate of the IE SOGI. This is based on the [official records](#) from the session. We hope that this document will assist to provide a comprehensive understanding of how the vote unfolded and also to analyze the positions of the different countries on the issue of violence and discrimination on the basis of SOGI.



*Diplomats and human rights defenders celebrating the renewal of the mandate. Palais de Nations, Geneva, 2019.

Explanation of the voting procedure

1

Introduction of draft resolution by one of the co-sponsors.

2

General comments, if any (by members of the Council only), including amendments, procedural proposals (such as requests for a separate vote and other motions).

3

Explanations of vote before the vote, if any, (co-sponsors will not be allowed to explain their vote, unless the draft resolution has been amended) *.

*Co-sponsors may withdraw their sponsorship in order to speak and reinforce it afterwards

4

Vote, if requested, or adoption of a draft proposal without a vote.

Chapter 1:

Presenting the Resolution

[A/HRC/41/L.10/REV.1](#)

Members of the core group of States (Argentina, Brazil, Chile, Colombia, Costa Rica, Mexico and Uruguay) presented the draft resolution to the Council. The resolution as filed by them can be found in Annex 1.

■ ■ ■ Mr. Coly Seck, President of the Human Rights Council - 00:00:02:



Excellencies, ladies and gentlemen, the Council will now move on to examining draft resolution L.10/Rev.1 - Mandate of the Independent Expert on Protection Against Violence and Discrimination based on Sexual Orientation and Gender Identity. I give the floor to the distinguished representative of Argentina and distinguished representative of Uruguay to present the first draft resolution. You have the floor.

■ ■ ■ Argentina, Ms. Daniela Gutierrez Alvaro – 00:00:35:



Mr. President, on behalf of the central group of countries comprising Argentina, Brazil, Chile, Colombia, Costa Rica, Mexico and Uruguay. We have the honor of presenting for adoption by the Council the draft resolution on the mandate of the Independent Expert on Protection Against Violence and Discrimination based on Sexual Orientation and Gender Identity. Violence and discrimination based on sexual orientation and gender identity

occurs throughout the world. All countries face challenges in this respect. We created this mandate because we are convinced that the scale, severity and generalized nature of this type of violence and discrimination warrant a specific response by the Council through a specific mechanism. And we were not wrong, as the Independent Expert indicated during his latest presentation to the Council, this mandate gives voices to those who have none, to those who suffer in dark, in denial and in silence. Some of the figures put forward by the Independent Expert cannot leave us indifferent.

60% of bisexual women have been victim of rape, physical violence and/or harassment by the hand of an intimate partner; half of LGBT students have suffered bullying bullied; life expectancy of a transgender person is only 35 years; 40% of homeless young people identify as LGBT; gay and lesbian persons are half as likely to get a job interview as their heterosexual peers. Can we so claim, Mr. President, that we don't need a specific mandate against violence and discrimination based on sexual orientation and gender identity?

Mr. President, the Human Rights Council is the forum for the undertaking constructing compromises, it is the body in charge of promoting the universal protection of all human rights and fundamental freedoms for all individual without any distinction and in a fair and equitable way.

The resolution proposed here, which would renew the mandate of the Independent Expert is not asking that States adopt a moral position on this topic. It merely recognizes that the Council bears the responsibility of addressing all human rights violations and that is not acceptable to remain indifferent in the face of suffering of others. Therefore, we urge all members of the Council to support the draft resolution L.10 fully revised and to deliver on that promise of *'leave no one behind'*. With your leave Mr. President, I will now hand over to the ambassador of Uruguay."

■ ■ ■ **Uruguay, Mr. Ricardo González Arena - 00:03:35:**



Mr. President, the draft project that we have presented is a procedural one, as we said during the organizational meeting for this 41st Session. Its goal is solely to request that the mandate of the Independent Expert on Protection Against Violence and Discrimination based on Sexual Orientation and Gender Identity to be renewed for three years. It should be retained without any modification the same terms and scope as it was approved by

the Council in June 2016 and which are contained in resolution 32/2.

The two experts who so far have held the mandate undertook various official country visits in different regions of the world in a broad spirit of cooperation with all stakeholders including governments; civil society; UN agencies, funds, programmes, social leaders and religious leaders and members of the LGBTI communities. During these visits it was clear that dialogue was being privileged and that understanding and communication with governments were a priority in respect to the mandate given by resolution 32/2.

Few months ago, few members of the core group started to take bilateral consultations and collective consultations, clearly indicating in a transparent way that they wanted to renew the mandate. During the current session, we organized an informal consultation to discuss draft L.10 and none of the delegations suggested any amendments.

With a view to responding some of the comments made by a number of delegations the central group presented a revised text which incorporates paragraph five from the Vienna Declaration Pro-

gramme of Action which recognized national and regional specificities. We hope that this council will therefore renew the mandate of the Independent Expert so the expert can continue its collective efforts to prevent and avoid situations of violence and discrimination. Situations which affect millions of people around the world whichever the grounds, including as those that are written here, those that are based on sexual orientation and gender identity. Finally, I would like to inform the council that this draft resolution has 54 co-sponsors and is also supported by 1312 NGOs from 174 different states. Therefore, we ask all members of the Council to support this initiative of renewing the mandate of the Independent Expert. Thank you very much.

Chapter 2: Presenting the Amendments

Pakistan, on behalf of the OIC (except Albania and Tunisia) presented 10 amendments to the draft resolution. The amendments as file by them can be found in Annex 2.

■■■ Mr. Coly Seck, President of the Human Rights Council – 00:06:29:

Thank you, I will now give the floor to Pakistan, so they can present the written amendments to L.10/Rev.1. In order to save time, I would ask to Pakistan to present the amendments in one goal. So, the amendments contained in document L.27 to L.36. Pakistan you have the floor.

■■■ Pakistan (on behalf of the OIC with the exception of Albania and Tunisia), Mr. Tahir Hussain Andrabi - 00:07:03:



Thank you, Mr. President. We are delivering this statement on behalf of the OIC group with except Albania and Tunisia. The OIC position is guided by the resolution on cultural, social and family affairs adopted at the 46th Council of Foreign Ministers held at Abu Dhabi, UAE. The amendments L.27 to L.36 to the draft resolution L.10/Rev.1 have been presented by the OIC group with an intention to oppose the introduction of controversial notions in the Human Rights Council due to its polarization and to enhance the universality of the human rights agenda. These amendments were conveyed to the main sponsors last week outlining in good faith and full transparency what the OIC views on how this draft resolution should look like to enable the Group to accept it. The OIC has a clear and well-defined position towards the issue at hand. The position is based on the following foundations: One, OIC Countries categorically reject violence and discrimination targeting any type of people. The resolution is not about protection against violence and discrimination, rather it aims at using the issue of violence and discrimination to advance another cause. It actually has the potential to generate violence against the very same group of people it claims to protect. Two, the letter and spirit of international human rights law have to be respected. Imposition of concepts or notions that fall outside the scope of universally recognized human rights framework is a deliberate assault against the integrity of the international human rights system. The 44 human right and fundamental freedom outlined by the international bill

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for human rights do not include a right for individuals to be legally categorized in accordance with their sexual preferences or their private individual behavior. Three, Human rights and fundamental freedoms are for all and should be enjoyed equally by all human beings. The attempt to create new clusters of protection to new categories of individuals can have dire consequences on the principle of universality of human rights and the equality of enjoying these very same rights for all individuals without any distinction. And four States have the responsibility to undertake the protection and promotion of human rights for all at all times in accordance with their respective obligations under international human rights law. Nevertheless, the international standards have always placed particular emphasis on the importance of respecting religious, cultural, social, political and economic backgrounds and particularities. Instead of celebrating and consolidating gains and successes of the HRC, we see increasing polarization, undermining of cultural diversity, selective application of standards, discrimination in the core work and use of the available platforms to further the political interest and foreign policies of a few. We surely cannot let this happen. The efforts of our predecessors to strengthen the international human rights framework cannot and should not be allowed to fall a pray to those who want to impose their thinking of social or private individual conduct on others. Our fight against all forms of discrimination, racism, xenophobia, intolerance against anyone on the basis of race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status, will continue. We will not let this noble human rights agenda be hijacked by introduction of polarizing and controversial concepts. On behalf of OIC members, I invite all Members of the Human Rights Council to vote in favor of the amendments L.27 to L.36. I now will request, Mr. President, to give floor to the distinguished delegations of the OIC member states of this Council: Bangladesh, Saudi Arabia, Qatar, Nigeria and Egypt to continue introduction to these amendments. I thank you, Mr. President.

■ ■ ■ **Mr. Coly Seck, President of the Human Rights Council – 00:11:18:**

Thank you, Bangladesh has the floor.

■ ■ ■ **Bangladesh, Mr. Shameem Ahsan - 00:11:22:**



Mr. President, Bangladesh is speaking on behalf of the OIC group Member States except Albania and Tunisia to present amendments contained in documents L.27 and L.28.

Human rights and fundamental freedoms are for all and should be enjoyed equally by all human beings. The attempt to create new clusters of protection to new categories of individuals can have dire consequences on the

principle of universality of human rights and the equality of enjoying these very same rights for all individuals without any distinction.

The 1st and 2nd amendments to draft resolution L.10 Rev1 as contained in documents L.27 and L.28 are clear messages reaffirming that OIC countries support efforts to end violence against any individual due to any reason. OIC believes in protection against discrimination on any ground such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

Nevertheless, we are constrained to bring these amendments which are in relation to the use of controversial and undefined notion of sexual orientation and gender identity that lacks universal consensus and has no basis in international human rights law.

It would be clear to all, we believe, that the resolution establishing the Mandate adopted by a narrow margin of vote is highly divisive. Our position on the matter is clear. The OIC group does not recognize the Mandate of the Independent Expert and therefore, we cannot support the paragraph in the resolution recalling the last controversial resolution on this subject.

We request the Council members to vote for these amendments and support the universal values of human rights. Thank you.

■ ■ ■ **Mr. Coly Seck, President of the Human Rights Council – 00:13:10:**

Thank you, Saudi Arabia has the floor.

■ ■ ■ **Saudi Arabia, Mr. Abdulaziz M.O. Alwasil - 00:13:15:**



Mr. President, Saudi Arabia is speaking on behalf of the OIC group states except Albania and Tunisia to present amendments contained in documents L.29 and L.30. L.29 is a general statement asserting that we should all strive to maintain joint ownership of the Human Rights Council and the international human rights system and that all human rights issues should be addressed in an objective manner. There are fundamental principles underlying UNGA Resolution 60/251 creating the Council. This draft resolution goes against the spirit of the Council creation and its institutional building package. L.30 is a reflection of the negative consequences of such controversial initiatives in on the entire counter-discrimination particularly racism, racial discrimination, xenophobia and other forms of related intolerance. The OIC is greatly alarmed at the rising xenophobia and racial discrimination and intolerance around the world. At such a critical juncture, the Human Rights Council cannot surely be divided due to introduction to such controversial notions as are in the draft resolution L.10. We must work together in a balanced manner under the principle of objectivity. We believe that respecting and honoring each

other's religions and beliefs is important for the work of the council. We should retrieve that the Council should promote consensus on human rights issues, in particular through cooperative and constructive approach as highlighted in the IB package. We would urge the council members to vote in favor of the OIC amendments. Thank you.

■ ■ ■ **Mr. Coly Seck, President of the Human Rights Council – 00:15:42:**

Thank you, Qatar has the floor.

■ ■ ■ **Qatar, Mr. Abdulla Khalifa Al-Sowaidi -00:15:44:**



Mr. President, the delegation of my country would like to introduce the amendments L.33 and L.31 suggested by Pakistan on behalf of the OIC member states except Albania and Tunisia with regard to the draft resolution L.10/Rev.1 on the “Mandate of the independent expert on protection from violence and discrimination based on sexual orientation and gender identity “.

With regards to L.31, this amendment suggests adding a new paragraph, a PP8 which includes raising an important issue which is condemning coercive measures and threatening with economic sanctions as well as conditioning development aid, especially against developing countries, with a view to affecting and influencing their national positions. This issue has been previously raised in view of countries that have been subjected under pressure as a result of their positions towards the issue of this resolution. This undermines the principle of democracy and non-interference in internal affairs of States. This would be an important reference on how the Council should deal with such issues. With regard to the L.33, It provides for the addition of a PP10 which asserts that the current resolution should be understood within the sovereign rights and national legislation of all countries as well as their own priorities in development, their religious and moral values as well as the cultural background of their countries, in line with the internationally recognized human rights. This amendment also indicates that it is important for the Council not to deal with controversial issues that are not in international conventions on human rights as that would lead to opening the doors to undermine the work of the Council in implementing its mandate collectively. For all these reasons we call on member states to vote for these two amendments. Thank you.

■ ■ ■ **Mr. Coly Seck, President of the Human Rights Council – 00:18:20:**

Thank you, Nigeria has the floor.

■ ■ ■ **Nigeria, Ms. Muhammad S. Isa - 00:18:22:**



Thank you, Mr. President. Nigeria is presenting amendments contained in documents L.32 and L.36 as introduced and presented by Pakistan on behalf of OIC except Albania and Tunisia. States have the responsibility to undertake the protection and promotion of human rights of all and at all times in accordance with the respective obligations in the international human rights law. International standards have always placed particular

emphasis on the importance of respecting religious, cultural, social, political and economic backgrounds and particularities. L.32 underscores that within the context of human rights discussions there is a need to ensure the utmost respect for the universality of human rights in accordance with the internationally agreed human rights framework. Nonetheless, the universality of human rights should not in any way connote the imposition of concepts or notions that negate cultural diversity and sensitivities. L.36 on the other hand highlights the importance of regional, cultural and religious values systems and particularities when considering human rights issues. It underscores the imperative of respect for non-interference in domestic peculiarities or realities as well on national dialogues, especially on matters characterized by historical, cultural, social and religious sensitivities. Doing so, in our opinion, can have counterproductive consequences. We therefore requests members States of the Human Rights Council to vote in favor of the OIC amendments and to ensure their commitment to global human rights agenda for the promotion and protection of all human rights within the internationally agreed human rights legal framework and in order to avoid controversies which does no good to the human rights cause. This we believe, will send a strong signal against the efforts to undermine the human rights system by seeking to impose concepts and notions that do not enjoy international consensus. I thank you, Mr. President.

■ ■ ■ **Mr. Coly Seck, President of the Human Rights Council – 00:20:14:**

Thank you, Egypt has the floor.

■ ■ ■ **Egypt, Mr. Alaa Youssef - 00:20:19:**



Thank you, Mr. President, Egypt is speaking on behalf of the OIC group member States except Albania and Tunisia to present amendments contained in documents L.34 and L.35. The 8th and 9th amendments contained in L.34 and L.35 is a clear message reaffirming that OIC countries do not tolerate violence or discrimination against

any individual on the basis of any reason. Nevertheless, the legal conception difficulty in these paragraphs of this resolution subject of the proposed amendments is in the reason of the use of controversial and undefined notions of sexual orientation and gender identity that lacks universal consensus and has no basis in international human rights law. In presenting draft resolution L.10/Rev.1 in an attempt to divide the Human Rights Council the paragraphs OP2 to OP5 are leading this Council to a deep risk. It is alarming to ask for a renewal of a long-term commitment of three years to address this polarizing issue that will be funded by the regular budget of the United Nations. If member States are so divided in the definition and content of the notion itself then how to expect that this mandate holder to function without any agreed terms of reference or an established legal framework under international law? A major pillar of Special Procedures mandate holder system is constructive dialogue and cooperation with all States. In line with the correct approach that the OIC adopts towards the draft as whole, we are requesting to replace this very problematic mandate with a report by the High Commissioner on violence and discrimination against all persons based on the language agreed on international law. The aforementioned amendments also aim to reiterate the way that OIC countries' position that the work of the Independent Expert and his mandate is not agreeable to the member States and these States are not in the position to recognize, interact or cooperate with this mandate. We call upon all member of the Council to vote for the amendments. Thank you very much Mr. President.

■■■ Mr. Coly Seck, President of the Human Rights Council – 00:22:35:

Thank you, Chile has the floor to express the views of the co-sponsors on the proposed amendments L.27 to L.36.

■■■ Chile, Mr. Juan Eduardo Eguiguren - 00:22:46:



Thank you, chairman. On behalf of the main co-sponsors of the resolution L.10 on the mandate of the Independent Expert on the protection of violence and discrimination based on sexual orientation and gender identity my delegation would like to firmly reject the amendments proposed by this group of countries. The resolution presented is a short, procedural and non-substantive text and the central purpose of it is to renew the mandate

of the Independent Expert for another three years. However, the ten amendments just introduced address more substantive issues, the ten amendments aim to change the nature and purpose of this resolution by turning it into a general and irrelevant text which wouldn't even mention the issue of sexual orientation or gender identity. In fact, amendment 9, or L.35 aims at eliminating the whole purpose of this resolution, which is to renew the mandate of the Independent Expert. It is

an amendment designed to undermine the purpose and approach of a resolution that has been co-sponsored by 51 states. The remaining amendments would eliminate any reference to sexual orientation and gender identity, or they would introduce paragraphs that don't have a relationship with the resolution's text. President, the main co-sponsors negotiated the draft the resolution in good faith, we held informal consultations and bilateral meetings until the very last minute in order to debate in an open and transparent way the content of the resolution. The co-sponsors put forward alternative language and we updated the text in order to present a revised version of the resolution that would facilitate the commitment by States of this agenda. Unfortunately, none of the amendments proposed here were brought to our discussions. In fact, some of the delegations who support them openly said that they disapproved the mandate and did not recognize the progress that its implementation had enabled. The Human Rights Council cannot and should not ignore violations of human rights that directly affect people on the grounds of their sexual orientation and gender identity. These people deserve the same protection as other specific groups and if this reality is not faced directly, we would be sending a negative message whereby violence and discrimination in this case are of no concern of the Council. Withdrawing the protection that this mandate has established would constitute an arbitrary violation of the principle of equality and would undermine the fundamental basis of the Universal Declaration of Human Rights, which is "all people are born free and equal in dignity and rights". This Council has no precedent in which it did not renewed a mandate and we hope that this will not be the first time. We urge the Council to reject each and every one of the amendments and we would like them to be voted individually. Thank you.

Chapter 3:

General Observations on the draft resolution and amendments

■ ■ ■ Mr. Coly Seck, President of the Human Rights Council – 00:26:18:

Thank you, I take note of the request of vote on the amendments. I have been informed by the secretariat that there are additional co-sponsors. We will now listen to general observations on the draft resolution as well as on the relevant amendments. Denmark has the floor.

■ ■ ■ Denmark (on behalf of the European Union), Mr. Morten Jespersen - 00:26:44:



Thank you, Mr. President, I have the honor to speak on behalf of the European Union. The EU strongly opposes all forms of discrimination and violence including on the basis of sexual orientation and gender identity. We are gravely concerned that sexual orientation and gender identity continue to be at the root of serious human rights violations around the world. Many LGBTI persons around the globe experience discrimination in their day

to day life which often lead to harmful effects such as stigmatization, social exclusion or even extreme forms of violence including torture and murder. The European Union has and will continue to consistently and constructively engage with UN mandates focusing on violence and discrimination on the grounds of sexual orientation and gender identity or any other grounds and we will support continuously the UN work in this regard. We therefore thank the core group and its members for their work on this important matter. We appreciate the constructive spirit shown by the core group in the presentation of this initiative on the mandate of the Independent Expert on protection against violence and discrimination on the grounds of sexual orientation and gender identity. We also look forward to continuing our efforts in enabling the Independent Expert as well as other UN mandate holders to continue to foster a climate of dialogue to help overcome fears and suspicious and to make progress in having access to a range of countries. I thank you.

■ ■ ■ Mr. Coly Seck, President of the Human Rights Council – 00:28:25:

Thank you, I now recognize South Africa.

■ ■ ■ **South Africa, Ms. Nozipho Joyce Mxakato-Diseko - 00:28:34:**



Thank you, Mr. President. Mr. President, the Council created this mandate three years ago to mitigate the protection gap and to propose ways to overcome violence and discrimination against persons based on sexual orientation and gender identity. My delegation is of the view that the Independent Expert has admirably fulfilled his mandate of privileging dialogue with affected communities and opening channels of communication with

States. He has done so with a great deal of sensitivity, avoiding the 'naming and shaming' of countries. Indeed, not only is the political maturity and sensitivity with which the Independent Expert has fulfilled his mandate in the face of urgency due to the atrocious gap in protection and prevention admirable. We believe he also contributed immensely to the dissipation of tensions in this Council. The Independent Expert could had taken a gun hold approach, but he chose not to. Yet, still in the face of urgency. This approach has created an ideal atmosphere for the renewal of the mandate. The findings of the report also make a strong case for the renewal of this mandate. South Africa is of the view that the killings, death threats, beatings, arbitrary arrests, abductions, corrective rape and sexual assault, verbal abuse, harassment and etc. which are the lived reality of many victims not only constitutes violations of human rights but require the Council to keep an eye on this. My delegation concurs also with the intersectionality highlighted by the Independent Expert between sexual orientation and gender identity and race helps outcome depression, HIV and AIDS, cancer, homelessness and unemployment. Once again, these are lived realities of people. South Africa deplores the use of government data to conduct surveillance harass, entrap and persecute LGBTI people in numerous countries. Not only are these gross infringements of human rights, but the Council needs to understand them and to respond to them, it is its duty. Mr. President, the constitution of South Africa was the first in the world to outlaw discrimination based on sexual orientation and continues to inspire us to do the utmost to counter violence and discrimination based on sexual orientation and gender identity. The work undertaken under this mandate indicates that a lot more still needs to be done to protect the human rights of the LGBTI people in recognition of their inherent dignity and their equal and inalienable rights and members of the human family which the Universal Declaration on Human Rights rejoins all countries to respect. My delegation therefore supports the renewal of this mandate and will oppose the amendments and speak to this. I thank you.

■ ■ ■ **Mr. Coly Seck, President of the Human Rights Council – 00:32:08:**

I thank you and give the floor to Iceland.

■ ■ ■ **Iceland, Mr. Harald Aspelund - 00:32:14:**



Thank you, Mr. President. Human Rights are for all, they are universal and must apply equally to all people in all places at all times. Everyone should live free from discrimination and violence. This Council has a role to play to make sure that the human rights of all are promoted and protected. Mr. President, this council has done just that by creating many important mandates for the promotion and protection of human rights. We consider the

mandate renewal before us today as one of those where the Council has shown leadership, courage and I thank the core group of countries for presenting it for renewal. The mandate has already proven valuable by providing us with the best practices and recommendations on how to improve our efforts to protect against violence and discrimination based on sexual orientation and gender identity. With this, the mandate has already proven beneficial, fully guaranteeing its renewal today. It is for those reasons that we call upon all members of the Human Rights Council to support the renewal of this important mandate and to send a clear signal to the world that violence and discrimination can never be justified on the grounds of sexual orientation and gender identity. I thank you, Mr. President.

■ ■ ■ **Mr. Coly Seck, President of the Human Rights Council – 00:33:45:**

I thank you and give the floor to Fiji.

■ ■ ■ **Fiji, Ms. Nazhat Shameem Khan - 00:33:51:**



Thank you, Mr. President. Fiji supports the draft resolution on the mandate of the Independent Expert on the Protection Against Violence and Discrimination based on Sexual Orientation and Gender Identity. All human beings are born free and equal in dignity and rights. Equality before the law, equal protection before the law and non-discrimination are universal principles that this Council must strive to uphold. We cannot deny that sexual

orientation and gender identity, which are accepted as prohibited grounds of discrimination in many international human rights courts and by United Nations treaty bodies have been the basis for discrimination, violence and degrading acts, intended to diminish individual integrity. We must therefore take steps to address it, this is our collective duty and responsibility. In Fiji, the protection against discrimination on the basis of sexual orientation and gender identity is a fundamental right

guaranteed under Fijian constitution. In Fiji, it is therefore unlawful to discriminate on the basis of sexual orientation and gender identity and we condemn it with the same severity as we do with all other forms of discrimination. Mr. President, it follows that in recognizing sexual orientation and gender identity as individual basis for protection against discrimination, we need to explicitly address the issue of discrimination against persons on these grounds. It is our duty under the United Nations charter and the Universal Declaration of Human Rights and the mandate of this Council to protect the rights of everyone, everywhere. Mr. President, it is for this reason that the extension of this mandate is such an imperative. It is time for us to accept that sexual orientation and gender identity have been the basis, both in the past and at present, for acts of violence, degradation, dehumanization and indignity. This is our chance to work constructively together to prevent a similarly dark future. Thank you, Mr. President.

■ ■ ■ **Mr. Coly Seck, President of the Human Rights Council – 00:36:08:**

I thank you and give the floor to the United Kingdom.

■ ■ ■ **United Kingdom of Great Britain and Northern Ireland, Mr. Julian Braithwaite - 00:36:16:**



Thank you, Mr. President, The United Kingdom attaches great importance to the enjoyment of universal rights by all people, on a free and equal basis. The Universal Declaration of Human Rights is the benchmark: human rights apply equally to all people, at all times, in all places. The resolution under consideration is a powerful reminder of this truth. It is a fact that no state has perfected the promotion and protection of these universal rights. My own

country has worked hard, and continues to work hard, to play a leading role on LGBT rights - and yet we know that there is still much more for us to do. We are working hard to deliver our domestic LGBT Action Plan to improve rights in our own country. And as the co-chair of the Equal Rights Coalition, alongside Argentina, we are working with the Coalition's growing membership to achieve LGBT equality.

This resolution to renew the mandate of the Independent Expert on Sexual Orientation and Gender Identity by this Human Rights Council represents a landmark moment – almost as much as it was three years ago. Its renewal will send a message that will resonate and amplify far beyond this chamber. It will send a crucial message of support to those living in the 69 countries where people live in fear of arrest, prosecution and imprisonment because it remains a punishable offence to be lesbian, gay, bisexual or transgender. Laws that criminalise sexual orientation or gender identity are unjust and serve no acceptable purpose. Criminalisation creates a vicious cycle, creating a climate

of intolerance that fosters violence and stigmatisation, discrimination and division. The UK strongly supports the efforts of the core group of Argentina, Brazil, Chile, Colombia, Costa Rica, Mexico and Uruguay to ensure that the work of the Independent Expert will continue. It is with deep - and colourful - pride that we remain a committed and strong partner to the core group and will work with the Independent Expert for as long as it takes to create a world where his mandate is no longer needed. The United Kingdom supports this resolution in the strongest terms and opposes all the amendments to it. Thank you, Mr. President.

■ ■ ■ **Mr. Coly Seck, President of the Human Rights Council – 00:38:44:**

I thank you and give the floor to Peru.

■ ■ ■ **Peru, Ms. Silvia Elena Alfaro Espinosa - 00:38:46:**



Thank you, Chair. Peru would like to thank all the co-sponsors of the draft resolution L.10 on the mandate of the Independent Expert on the Protection Against Violence and Discrimination based on Sexual Orientation and Gender Identity, all countries of them Latin American countries. Non-discrimination is the corner stone of the international human rights law. It is the principle that ensures the respect for each and free individual and human being.

Any type of discrimination violates human dignity. Similarly, Peru rejects any form of violence. Peru will always support initiatives and special procedures that aim at ensuring non-discrimination and the protection of violence. Thank you very much.

■ ■ ■ **Mr. Coly Seck, President of the Human Rights Council, 00:39:44:**

I thank you. Are there any other requests for the floor on this draft resolution and the relevant amendments? The secretariat has informed that this draft resolution has budgetary implications the copies of the document are available on the extranet. We will now proceed with the review of each of the amendments after presentation. After that we will vote the resolution as a whole. We will now proceed with L.27 and I give the floor to the members of this Council who would like to explain the vote before the vote on L.27. I recognize Uruguay.

Chapter 4:

Voting on the Amendments

4.1 First Amendment: L. 27

The first amendment proposed was:

“Title to read:

“Protection against violence and discrimination on any basis such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status”

The full amendment as filed can be found in Annex 2.

The amendment was defeated by a vote of 13 in favor, 26 against, 5 abstentions.

Uruguay, Mr. Ricardo González Arenas 00:40:52:



Mr. President, on behalf of the central group of countries sponsoring the renewal of the mandate of the Independent Expert, we reject this amendment which we believe to be out of place here, given that as we have already indicated, we are looking at a draft resolution that is merely procedural in nature. The draft that we have submitted would renew the mandate, a mandate that already exists. It would not create another mandate nor modify

the current one. Mr. President this amendment was already tabled, voted on and rejected in 2016 when the mandate of the Independent Expert was created and when the terms of its mandate were clearly defined, following extensive exchange of views between the members of the Council. To modify the title of the resolution would be tantamount to change the scope of its application and as a consequence it would denature the draft resolution that we are putting forward. And let me repeat this, this resolution is about renewing an existing procedure and not defining the terms of a new one. As a consequence, we ask all members of the Human Rights Council to reject this proposed amendment by voting against L.27. I thank you.

Mr. Coly Seck, President of the Human Rights – 00:42:18:

Thank you and I give the floor to Austria.

■ ■ ■ **Austria, Ms. Elisabeth Tichy-Fisslberger - 00:42:25:**



Thank you, Mr. President. Amendment L.27 clearly asks for the deletion of the reference to sexual orientation and gender identity from the title of the resolution L.10/Rev.1. Reports and data collected by regional and international organizations including the reports by the current and previous mandate holders on sexual orientation and gender identity show that hatred, prejudice, discrimination and violence against individuals on the basis of

their sexual orientation and gender identity are a serious and widespread problem affecting all parts of the world. No country in the world is immune to that problem.

Resolution L.10/Rev.1 is intended to respond to a specific pattern of violations directed against persons because of their sexual orientation and gender identity. It also responds to the need for dialogue and good practice examples to protect people from discrimination and violence on these grounds. The proposed amendment L.27 to remove the specific reference to sexual orientation and gender identity from the title would wholly undermine the spirit and intent of this resolution.

Mr. President let me also express our disappointment that we are repeating many discussions today that we had in this room three years ago. The past three years since the creation of the mandate of the Independent Expert have shown that constructive engagement and dialogue on issues related to sexual orientation and gender identity are necessary and important in order to fully guarantee what is at the core of the international human rights system: that all human beings are born free and equal in dignity and rights.

For all the above-mentioned reasons we will vote against amendment L.27 and we call upon all members of this Council to do the same. Thank you, Mr. chair.

■ ■ ■ **Mr. Coly Seck, President of the Human Rights – 00:44:12:**

Thank you and I give the floor to South Africa.

■ ■ ■ **South Africa, Ms. Nozipho Joyce Mxakato-Diseko - 00:44:15:**



Thank you, Mr. President. The resolution in front of us is simply for the renewal of the mandate of the Independent Expert on preventing Against Violence and Discrimination based on Sexual Orientation and Gender Identity and not to relitigate the mandate while the title is proposed in the amendment. Delegations were recalled that we had ample discussion on the mandate in 2016. And

my delegation believes that we stopped short of establishing a traditional fully fleshed procedure as would be the response of the Human Rights Council when the need to protect was dire and urgent. Then in 2016, keen to taken into account sensitivities, the Council stopped short of creating a special rapporteur. While not denying the intersectionality of forms discrimination, we are of the view that dedicated attention is urgently required on the case of LGBTI, to ensure that in accordance with the UDHR their inherent dignity equal and inalienable rights as human beings are protected and abuses prevented. Indeed, the current Independent Expert in his report highlights precisely how the living realities of the LGBTI, the intersectionality of race and gender compound the impact of violations of their human rights. While globally, the ideology of hatred is on the ascendant, to generalize the current mandate of the Independent Expert would dilute the resolution and in fact give license to the abuses of human rights. Just to quote evidence, that we have found in South Africa: In an article of 14th of June, in a country in the northern hemisphere, a very prominent newspaper notes it that the rise of incidents hate crimes against LGBTI was 144%, that is between 2013 and 2014, 2017 and 2018. This is in the cause of the existence of the Independent Expert. Clearly, we all need to do more. The article also shockingly reveals that for the same period, transphobic attacks in this country trebled with this being violent offenses, ranging from common assault to grievous bodily harm. And in this country attacks on LGBTI people raised by 81%. This is in the duration of the existence of the Independent Expert in the first term. So, Mr. President. The mandate has its current stands where it should be showing us a fuller picture of what is happening. It does not point fingers at any particular country, but it is intended to engage all of us to do more. Where politicians in countries which claims to be beacons of democracy and human rights are emboldening hatred with courts eroding the gains made no more than 10 years ago. In these circumstances, the Council must be the ultimate defender of those most in need of protection and put in place measures that will not be blown away by the changing fortunes of political leaders and parties. We therefore oppose, we will oppose the amendment tables as L.27, I thank you.

■ ■ ■ **Mr. Coly Seck, President of the Human Rights – 00:48:17:**



I thank you. Are there any other requests for the floor before our vote on L.27? I see none. I therefore turn to the delegation of Chile that we will proceed with the recorded vote on amendment L.27, I ask the secretariat to open up the voting system to record the votes. All delegations have voted. The vote is now closed. The results are: Yes 13, No 26, Abstentions 5. This amendment L.27 is rejected. I will now give the floor to the members of

the Council who would like to offer their explanations of vote before we vote on amendment L.28. Uruguay you have the floor.

L.27 - Amendment to draft resolution A/HRC/41/L.10/Rev.1

| | | | | | |
|------|--------------|------|---------------------------------|-----|------------------------------------------------------------------|
| YES | AFGHANISTAN | NO | CZECH REPUBLIC | NO | PERU |
| ABST | ANGOLA | ABST | DEMOCRATIC REPUBLIC OF CONGO | NO | PHILIPPINES |
| NO | ARGENTINA | NO | DENMARK | YES | QATAR |
| NO | AUSTRALIA | YES | EGYPT | NO | RWANDA |
| NO | AUSTRIA | YES | ERITREA | YES | SAUDI ARABIA |
| NO | BAHAMAS | NO | FIJI | YES | SENEGAL |
| YES | BAHRAIN | NO | HUNGARY | NO | SLOVAKIA |
| YES | BANGLADESH | NO | ICELAND | YES | SOMALIA |
| NO | BRAZIL | ABST | INDIA | NO | SOUTH AFRICA |
| NO | BULGARIA | YES | IRAQ | NO | SPAIN |
| ABST | BURKINA FASO | NO | ITALY | YES | TOGO |
| | CAMEROON | NO | JAPAN | | TUNISIA |
| NO | CHILE | NO | MEXICO | NO | UKRAINE |
| ABST | CHINA | NO | NEPAL | NO | UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND |
| NO | CROATIA | YES | NIGERIA | | |
| | CUBA | YES | PAKISTAN | NO | URUGUAY |
| 13 | YES | 26 | NO | 5 | ABST |

4.2 Second Amendment: L. 28

The second amendment proposed was:

PP3 to read:

“Recalling further all Human Rights Council resolutions relevant to protection against violence and discrimination on any basis such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status,”

The full amendment as filed can be found in Annex 2.

The amendment was defeated by a vote of 14 in favor, 25 against, 5 abstentions.

■ ■ ■ Uruguay, Mr. Ricardo González Arenas 00:49:51:



Mr. President, the member countries of the central group want to reiterate what we have already said when rejecting the previous amendments. We insist on the fact that the draft resolution is merely procedural and that only seeks to renew the mandate of the Independent Expert on the same terms as it was approved by this Council and which fit in the resolution 32/2 in 2016. Amendment L.28 would eliminate from the scope of the mandate the

protection against violence and discrimination suffered by the specific group of people who are supposedly protected by resolution 32/2 which was approved by this Council. Any change to its wording or to the title would amount to modifying of the scope of the mandate and would therefore denature a mandate that has already been approved. What we are tabling here is a renewal of the mandate for another three years, so it is a procedural decision. We therefore reject introducing new language which would modify and reduce the scope of the mandate that was approved by the Council in 2016. Finally, we would like to recall that the same amendment was tabled and rejected by the Human Rights Council in June 2016. Therefore, we urge all members of the Council to vote against amendment L.28.

■ ■ ■ Mr. Coly Seck, President of the Human Rights Council – 00:51:40:

I thank you and give the floor to Austria.

■ ■ ■ **Austria, Ms. Elisabeth Tichy-Fisslberger 00:51:43:**



My delegation is not in a position to support amendment L.28 as proposed by Pakistan. Austria is firmly opposed to discrimination on any of the grounds cited in the amendment L.28. However, this amendment has only one objective: to delete any reference to previous resolutions of this Council on discrimination and violence against persons based on their sexual orientation and gender identity. But these resolutions were adopted by

the Council and are still valid. Resolution L.10/Rev.1 deals with violence and discrimination based on sexual orientation and gender identity. Resolutions 17/19 and 27/32, as well as Resolution 32/2 which created the mandate that we are renewing today, are necessary to define the framework for the resolution under consideration. It is standard practice in the Human Rights Council to refer to previous resolutions on a given topic that is addressed. Human rights violations on grounds of sexual orientation and gender identity have been consistently brought to this Council's attention by its Special Procedures and the Office of the High Commissioner. The reference to previous resolutions on this issue shows that discrimination of and violence against LGBTI-persons is firmly included as a recurring topic on the international agenda. The Human Rights Council must continue to play its part through regular debate on how the international community can best combat violence and discrimination linked to sexual orientation and gender identity. For all these reasons Austria will vote against amendment L.28 and we call on all members of this Council to do the same. Thank you, Mr. President.

■ ■ ■ **Mr. Coly Seck, President of the Human Rights Council - 00:54:24:**



I thank you, do any other delegation wishes now to take the floor? I see no requests for the floor. The Council will now conduct a recorded vote under the request of Chile on the amendment L.28, I ask the secretariat to fire the voting system. Have all votes been recorded? The voting is now closed. The results are as follows: Yes 14, No 25, Abstention 5. Amendment L.28 is thus rejected. The Council will now proceed to look at amendment L.29. I

give the floor to the members of the Council who wish to explain their vote before we vote. Uruguay you have the floor.

L.28 - Amendment to draft resolution A/HRC/41/L.10/Rev.1

| | | | | | |
|------|--------------|------|---------------------------------|------|------------------------------------------------------------------|
| YES | AFGHANISTAN | NO | CZECH REPUBLIC | NO | PERU |
| ABST | ANGOLA | ABST | DEMOCRATIC REPUBLIC OF CONGO | ABST | PHILIPPINES |
| NO | ARGENTINA | NO | DENMARK | YES | QATAR |
| NO | AUSTRALIA | YES | EGYPT | NO | RWANDA |
| NO | AUSTRIA | YES | ERITREA | YES | SAUDI ARABIA |
| NO | BAHAMAS | NO | FIJI | YES | SENEGAL |
| YES | BAHRAIN | NO | HUNGARY | NO | SLOVAKIA |
| YES | BANGLADESH | NO | ICELAND | YES | SOMALIA |
| NO | BRAZIL | ABST | INDIA | NO | SOUTH AFRICA |
| NO | BULGARIA | YES | IRAQ | NO | SPAIN |
| ABST | BURKINA FASO | NO | ITALY | YES | TOGO |
| | CAMEROON | NO | JAPAN | | TUNISIA |
| NO | CHILE | NO | MEXICO | NO | UKRAINE |
| YES | CHINA | NO | NEPAL | NO | UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND |
| NO | CROATIA | YES | NIGERIA | | |
| | CUBA | YES | PAKISTAN | NO | URUGUAY |
| 14 | YES | 25 | NO | 5 | ABST |

4.3 Third Amendment: L. 29

The third amendment proposed was:

Add PP6 reading:

“Stressing the need to maintain joint ownership of the international human rights agenda and to consider human rights issues in an objective and non-confrontational manner;”

The full amendment as filed can be found in Annex 2.

The amendment was defeated by a vote of 18 in favor, 22 against, 5 abstentions.

■ ■ ■ Uruguay, Mr. Ricardo González Arenas - 00:55:01:



Mr. President, amendment L.29 is an attempt to cast the draft resolution presented by the core group as being not objective and confrontational, but that is not the case. All delegations are aware of the spirit in which our group held the broad consultations and negotiations. We showed spirit of transparency and respect. The clearest manifestation of objectivity through the Council’s activities comes from the Council being able to tackle all issues

related to human rights and the way in which violations thereof are dealt with including when this generates controversies between Council members. But we are able in doing so in a reasonable way through respectful dialogue and negotiations on the quests for agreements. That was the spirit that the core group abided by when submitting draft resolution L.10 and the consultations undertaken with other members. Evidence of this is that when we were asked to take into account specificities of cultural, historical, social particularities that exists in the international community, our group incorporated paragraph five of the Vienna Declaration into the draft resolution. I feel that this witnesses to the good faith and openness. In terms of amendment L.29 itself, allow me to make three comments: Firstly, the content of this amendment was already approved in June 2016 when the mandate of the Independent Expert was first established and then it was included in resolution 32/2. Secondly, the draft resolution at hand which we are presenting does not change the content of the aforementioned resolution, which was in fact referred to in the third preambular paragraph of the draft L.10. And thirdly, as we have already said, draft L.10 is a procedural text aimed at renewing the mandate. Therefore, we do not believe that it is necessary to include the amendment in draft L.10, we therefore ask the members of the Human Rights Council vote against amendment L.29, thank you.

Mr. Coly Seck, President of the Human Rights Council – 00:57:40:

I thank you, Austria has the floor.

■ ■ ■ Austria, Ms. Elisabeth Tichy-Fisslberger 00:57:41:



Mr. President, Austria fully agrees that maintaining joint ownership of the international community for human rights is of utmost importance. A constructive approach to human rights in the spirit of dialogue and cooperation underlies Austria's human rights policy and foreign policy in general. However, the proposed amendment L.29 seems to imply that the resolution is drafted in a non-objective manner or that the process of renewing

the mandate was led in a confrontational way. In fact, quite the opposite is the case. L.10/Rev.1 is an objective and procedural text which aims to renew a mandate that has already been created by this Council. L.10/Rev.1 aims to promote dialogue, as the current and previous mandate holders have done so far with their work, including their reports and their official country visits. The core group of this resolution followed a transparent and collaborative process in the spirit of dialogue and engaged in discussions with many delegations present in this room, including in informal consultations which were open to all delegations. The Core Group also revised the tabled draft of the resolution, adding a new preambular paragraph which recalls the international community's shared understanding of human rights. Austria will therefore vote against the proposed amendment L.29 and calls on all Members of this Council to do the same. I thank you.

■ ■ ■ Mr. Coly Seck, President of the Human Rights Council - 00:59:59:



Thank you. Are there any further requests from the floor, for vote explanations? If not, under the request I will now proceed with the voting on amendment L.29. Will the secretariat please open the voting system? Have all votes been recorded? Voting is now closed. 18 in favor, 22 against and 5 abstentions. The amendment L.29 is rejected. The Council will now look at amendment L.30.

I will now give the floor to the members of the Council who wish to explain their votes on the amendment L.30. Argentina, you have the floor.

L.29 - Amendment to draft resolution A/HRC/41/L.10/Rev.1

| | | | | | |
|------|--------------|------|---------------------------------|------|------------------------------------------------------------------|
| YES | AFGHANISTAN | NO | CZECH REPUBLIC | NO | PERU |
| ABST | ANGOLA | ABST | DEMOCRATIC REPUBLIC OF CONGO | YES | PHILIPPINES |
| NO | ARGENTINA | NO | DENMARK | YES | QATAR |
| NO | AUSTRALIA | YES | EGYPT | ABST | RWANDA |
| NO | AUSTRIA | YES | ERITREA | YES | SAUDI ARABIA |
| YES | BAHAMAS | NO | FIJI | YES | SENEGAL |
| YES | BAHRAIN | NO | HUNGARY | NO | SLOVAKIA |
| YES | BANGLADESH | NO | ICELAND | YES | SOMALIA |
| NO | BRAZIL | YES | INDIA | NO | SOUTH AFRICA |
| NO | BULGARIA | YES | IRAQ | NO | SPAIN |
| ABST | BURKINA FASO | NO | ITALY | YES | TOGO |
| | CAMEROON | NO | JAPAN | YES | TUNISIA |
| NO | CHILE | NO | MEXICO | NO | UKRAINE |
| YES | CHINA | ABST | NEPAL | NO | UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND |
| NO | CROATIA | YES | NIGERIA | | |
| | CUBA | YES | PAKISTAN | NO | URUGUAY |
| 18 | YES | 22 | NO | 5 | ABST |

4.4 Fourth Amendment: L. 30

The fourth amendment proposed was:

Add PP7 reading:

“Undertaking to support the Human Rights Council’s broad and balanced agenda, and to strengthen the mechanisms addressing issues of importance, including fighting racism, racial discrimination, xenophobia and related intolerance, in all their forms,”

The full amendment as filed can be found in Annex 2.

The amendment was defeated by a vote of 16 in favor, 22 against, 6 abstentions.

■■■ Argentina, Mr. Carlos Mario Foradori 01:00:32:



Thank you very much president, my delegation on behalf of the core group of countries behind this initiative cannot accept this amendment. In principle, this is a procedural resolution therefore these amendments are not appropriate given that we are only trying to renew a mandate. This Council has already looked at these amendments as its paragraphs is part of resolution 32/2 which is referred to in the draft resolution at hand. It is neces-

sary to support the broad scope of the Council agenda, but this amendment would undermine the very purpose of this draft resolution and would undermine the mandate of the Independent Expert on the protection against violence and discrimination based on sexual orientation and gender identity. This draft resolution in its third preambular paragraph already states that we need to consider the protection of these individuals of discrimination faced by them based on sexual orientation and gender identity but also on other grounds, including racism. In the next report, on social and economic inclusion there will also be this language included. The core group of this draft resolution is firmly committed to fighting against racism, xenophobia, racial discrimination and all other forms of intolerance and discrimination. There is no doubt, no one can doubt that fact and we will continue to support initiatives that do tackle these issues. But we have also mentioned that we are also convinced that the different forms of intolerance and discrimination faced by people based on their sexual orientation or gender identity and so we therefore support the Council having a broad a balanced agenda. We are concerned by this amendment; Mr. President and we lament the fact that it is sowing confusion to our discussion. Racism and xenophobia, as well as homophobia must all be of great concern to us, but they must be dealt with from the perspective of their specificities. Mr. President, we cannot undermine the problem or downplay the problem of violence and dis-

crimination based on sexual orientation and gender identity by using other tragic cases and other forms of discrimination. This would run counter what is enshrined in the Universal Declaration of Human Rights; therefore, we reject this amendment and we invite all members of the Council to vote against it. Thank you.

Mr. Coly Seck, President of the Human Rights Council 01:03:37:

Thank you, United Kingdom has the floor.

United Kingdom of Great Britain and Northern Ireland, Mr. Julian Braithwaite - 01:03:45:



Thank you, Mr. President. United Kingdom is taking the floor to speak against amendment L.30 tabled by Pakistan on behalf of a group of States. Amendment addresses important issues of racism, racial discrimination, xenophobia and related intolerance and the imperative to fight against this in all their forms. There is no doubt that these are critical issues and that is why we, in this Council have established long standing and specific mechanisms designed to respond to the challenges they represent. What this amendment deliberately fails to do however is to make any mention of the intolerance of what this resolution, this mandate is so valuably focused on: the intolerance, the violence and the discrimination against people because of their sexual orientation and gender identity. The amendment is unnecessary because the mechanisms that address these issues referred to already exists. It is unwanted because it seeks to steal the focus of the established mandate. And we believe that is simply not appropriate to try to use the appalling scourge of racism as a means of causing confusion about the focus of this resolution. United Kingdom will vote no on the amendment L.30 and we call all Council members also to vote no. Thank you, Mr. President.

Thank you, Mr. President. United Kingdom is taking the floor to speak against amendment L.30 tabled by Pakistan on behalf of a group of States. Amendment addresses important issues of racism, racial discrimination, xenophobia and related intolerance and the imperative to fight against this in all their forms. There is no doubt that these are critical issues and that is why we, in this Council have established long standing and specific mechanisms designed to respond to the challenges they represent. What this amendment deliberately fails to do however is to make any mention of the intolerance of what this resolution, this mandate is so valuably focused on: the intolerance, the violence and the discrimination against people because of their sexual orientation and gender identity. The amendment is unnecessary because the mechanisms that address these issues referred to already exists. It is unwanted because it seeks to steal the focus of the established mandate. And we believe that is simply not appropriate to try to use the appalling scourge of racism as a means of causing confusion about the focus of this resolution. United Kingdom will vote no on the amendment L.30 and we call all Council members also to vote no. Thank you, Mr. President.

Mr. Coly Seck, President of the Human Rights Council - 01:06:02:



Thank you, are there any further requests for the floor, for vote explanations prior the voting on L.30? I see none. By the request of the Chilean delegation we will proceed to the recorded vote on the amendment L.30. Could the secretariat please open the voting procedure? And could the delegations please vote? The voting is now closed, the results are 16 in favor, 22 against and 6 abstentions.

Amendment L.30 is rejected. We will now proceed to amendment L.31, I now give the floor to members of the Council who wish to explain their vote prior to voting. Argentina you have the floor.

L.30 - Amendment to draft resolution A/HRC/41/L.10/Rev.1

| | | | | | |
|------|--------------|------|------------------------------|------|------------------------------------------------------|
| YES | AFGHANISTAN | NO | CZECH REPUBLIC | NO | PERU |
| ABST | ANGOLA | ABST | DEMOCRATIC REPUBLIC OF CONGO | YES | PHILIPPINES |
| NO | ARGENTINA | NO | DENMARK | YES | QATAR |
| NO | AUSTRALIA | YES | EGYPT | ABST | RWANDA |
| NO | AUSTRIA | YES | ERITREA | YES | SAUDI ARABIA |
| ABST | BAHAMAS | NO | FIJI | YES | SENEGAL |
| YES | BAHRAIN | NO | HUNGARY | NO | SLOVAKIA |
| YES | BANGLADESH | NO | ICELAND | YES | SOMALIA |
| NO | BRAZIL | YES | INDIA | NO | SOUTH AFRICA |
| NO | BULGARIA | YES | IRAQ | NO | SPAIN |
| ABST | BURKINA FASO | NO | ITALY | YES | TOGO |
| | CAMEROON | NO | JAPAN | | TUNISIA |
| NO | CHILE | NO | MEXICO | NO | UKRAINE |
| YES | CHINA | ABST | NEPAL | NO | UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND |
| NO | CROATIA | YES | NIGERIA | | |
| | CUBA | YES | PAKISTAN | NO | URUGUAY |
| 16 | YES | 22 | NO | 6 | ABST |

4.5 Fifth Amendment: L. 31

The fifth amendment proposed was:

Add PP8 reading:

“Deploing the use of external pressures and coercive measures against States, particularly developing countries, including through the use and threat of use of economic sanctions and/or application of conditionality on official development assistance, with the aim of influencing the relevant domestic debates and decision-making processes at the national level;”.

The full amendment as filed can be found in Annex 2.

The amendment was defeated by a vote of 15 in favor, 24 against, 5 abstentions.

■ ■ ■ Argentina, Mr. Carlos Mario Foradori - 01:06:35:



Thank you, President. On behalf of the core group of countries behind the resolution my delegation opposes the proposed amendment. As we already explained this is a procedural resolution, therefore the proposed amendment is not appropriate for an initiative which simply tries to renew a mandate. The Council has already expressed its views on this amendment back in 2016 this paragraph is part of resolution 32/2 which we refer to

in the draft resolution in hand. This amendment seems to introduce a fallacy and very concerning one that the draft resolution would be trying to use economic sanctions and coercive measures to undermine the authority of States in determining and influencing their own decision-making processes. This is completely untrue. The only goal of this resolution is to tackle the violence and discrimination faced day in and day out by millions of people around the world. Its goal is to improve the protection of human rights in a way that it will mean that everyone is treated as equal and protected against discrimination and violence. Nothing in this resolution can be interpreted as undermining the sovereignty of States. We would like to reiterate that this mandate does not have the power to use or threaten or use sanctions, therefore this amendment is not just irrelevant, but it aims to divert the discussion towards topics that are not related to what we are discussing now. Therefore, we believe that it is very unconvincing as an amendment. The distinguished colleague who presented the amendment mentioned that the principle of non-interference in the internal affairs of States is being undermined. That is not true. That the mandate that we are trying to renew produces controversial discussions, that is what he said. The only controversy that we are trying

to overcome here is violence on the basis of sexual orientation and gender identity. The only controversy, Mr. President, that we are trying to overcome here is discrimination on the basis of sexual orientation and gender identity. Therefore, we strongly reject this amendment and reiterate our call for all delegations to vote against it. Thank you very much Mr. President.

Mr. Coly Seck, President of the Human Rights Council 01:09:21:

Thank you, the United Kingdom has the floor.

United Kingdom of Great Britain and Northern Ireland, Mr. Julian Braithwaite 01:09:38:



Thank you, Mr. President, United Kingdom taking the floor to speak in opposition to amendment L.31 tabled by Pakistan on behalf of a group of States. The resolution under consideration is a sincere effort to counter the real proven and serious phenomenon that is violence and discrimination on the grounds of sexual orientation and gender identity. This Council created a mandate for an Independent Expert to address this issue, which both

the current mandate holder and his predecessor have done to a very high standard, in an open and cooperative manner. So, we are confused as to why this amendment has any relevance to the resolution in question. The amendment talks about external pressure and coercive measures, the use of economic sanctions, conditionality on official development assistance. Those proposing the amendment have provided no justification for it, any evidence, that any State has engaged in such acts in the first three years of the mandate nor that they are planning to do so. What States like mine have done is to make clear to all UN members that there are responsibilities to protect the rights of all people, weather they are gay, bisexual, transgender or anything else. And to accept violence and discrimination against these people as a reality that must be stopped. The amendment is a further attempt to further distract the subject of this resolution and introduce issues which have no relevance to it. United Kingdom will vote against amendment L.31 and encourage all Council members to also vote no. Thank you Mr. President.

■ ■ ■ **Mr. Coly Seck, President of the Human Rights Council- 01:11:58:**



Thank you. Are there any further requests for the floor? If not, under the request by Chilean delegation the Council will now proceed to the vote on amendment L.31. I now ask the secretariat to open the voting procedure and the delegations to vote. Have all delegations voted? Voting is now closed, the result is as follows: 15 in favor, 24 against and 5 abstentions. Amendment L.31 is rejected. We will now move to amendment L. 32.

L.31 - Amendment to draft resolution A/HRC/41/L.10/Rev.1

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|------|--------------|------|---------------------------------|------|------------------------------------------------------------------|
| YES | AFGHANISTAN | NO | CZECH REPUBLIC | NO | PERU |
| ABST | ANGOLA | ABST | DEMOCRATIC REPUBLIC OF CONGO | YES | PHILIPPINES |
| NO | ARGENTINA | NO | DENMARK | YES | QATAR |
| NO | AUSTRALIA | YES | EGYPT | NO | RWANDA |
| NO | AUSTRIA | YES | ERITREA | YES | SAUDI ARABIA |
| ABST | BAHAMAS | NO | FIJI | YES | SENEGAL |
| YES | BAHRAIN | NO | HUNGARY | NO | SLOVAKIA |
| YES | BANGLADESH | NO | ICELAND | YES | SOMALIA |
| NO | BRAZIL | YES | INDIA | NO | SOUTH AFRICA |
| NO | BULGARIA | YES | IRAQ | NO | SPAIN |
| ABST | BURKINA FASO | NO | ITALY | ABST | TOGO |
| | CAMEROON | NO | JAPAN | | TUNISIA |
| NO | CHILE | NO | MEXICO | NO | UKRAINE |
| YES | CHINA | NO | NEPAL | NO | UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND |
| NO | CROATIA | YES | NIGERIA | | |
| | CUBA | YES | PAKISTAN | NO | URUGUAY |
| 15 | YES | 24 | NO | 5 | ABST |

4.6 Sixth Amendment: L. 32

The sixth amendment proposed was:

Add PP9 reading:

“Concerned by any attempt to undermine the international human rights system by seeking to impose concepts or notions pertaining to social matters, including private individual conduct, that fall outside the internationally agreed human rights legal framework, taking into account that such attempts constitute an expression of disregard for the universality of human rights;”

The full amendment as filed can be found in Annex 2.

The amendment was defeated by a vote of 15 in favor, 24 against, 5 abstentions.

■ ■ ■ Mexico, Ms. Socorro Flores Liera - 01:12:29:



Thank you, Chair. On behalf of the main co-sponsors of draft resolution L.10/Rev.1, my delegation rejects the amendment proposed which would include a new pre-ambular paragraph. The amendment claims that the co-sponsors of this resolution are trying to impose concepts or notions that are related to social matters and to private behavior and that fall outside of the review of human rights law. We firmly reject that assertion. The

purpose of the draft resolution is exact the opposite in fact. We consider that all members of this Council share the compromise to promote and protect human rights and to eliminate violence and discrimination on any ground. We believe that, as long as this commitment is strong enough, we can make progress through dialogue and build consensus on any issue, including issues which tend to divide us a bit. We object to this amendment; it runs against the principle of universality of human rights and against the obligations undertaken by States through international instruments that prohibit discrimination on any grounds. Violence and discrimination are not private matters. It is impossible to justify such actions under the pretext of individual behavior. Violence and discrimination against any person or social group are public issues that threaten society in large, regardless of where they occur or why they occur. This amendment would deny the rights and protection that victims facing violence, discrimination and abuse due to their sexual orientation and gender identity around the world require. We will vote no to this amendment and we urge others to do the same. Thank you.

Mr. Coly Seck, President of the Human Rights Council- 01:14:20:

Thank you, Australia you have the floor.

■ ■ ■ Australia, Ms. Bethany-Kate Lewis 01:14:24:



Thank you, Mr. President. Australia rejects amendment L.32 to add a new preambular paragraph to this resolution. The proposed amendment implies that L.10/Rev.1 disregards the universality of human rights and this is not correct. Let us be clear: diversity of sexual orientation and gender identity is a lived reality for a great many individual across the world – it is not merely a concept or theoretical notion. This resolution is therefore significantly important, as it seeks, through the mandate of the independent expert, to shed light on the violence and discrimination experienced by people with diverse sexual orientations and gender identities, and to provide avenues for protection against these abuses. This resolution does not disregard the universality of human rights, as implied by amendment L.32. On the contrary, it reaffirms the universality of human rights by bringing attention to human rights abuses faced by people of diverse sexual orientations and gender identities – people who are often marginalised, and experience high rates of violence and discrimination. Further, amendment L.32 also asserts that private individual conduct falls beyond the scope of the international human rights framework. We reject this notion. The private conduct of individuals goes to the very core of human rights – it is why we are here in the Council chamber today. Australia will vote against this amendment and we urge all members of the Council to do the same.

■ ■ ■ Mr. Coly Seck, President of the Human Rights Council- 01:16:08:



Thank you. Any other delegation would like to take the floor? If not, under the request of Chile the Council will proceed to a recorded vote on the amendment L.32. I ask the secretariat to open the voting procedure and the delegations to vote. Have all the delegations voted? The vote is now closed. The results are as follows: 15 in favor, 24 against and 5 abstentions. The amendment is rejected. We will now move on to amendment L.33 and I

will now give the floor to members of the Council who wish to explain their votes before the voting. Mexico has the floor.

L.32 - Amendment to draft resolution A/HRC/41/L.10/Rev.1

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|------|--------------|------|---------------------------------|------|------------------------------------------------------------------|
| YES | AFGHANISTAN | NO | CZECH REPUBLIC | NO | PERU |
| ABST | ANGOLA | ABST | DEMOCRATIC REPUBLIC OF CONGO | ABST | PHILIPPINES |
| NO | ARGENTINA | NO | DENMARK | YES | QATAR |
| NO | AUSTRALIA | YES | EGYPT | NO | RWANDA |
| NO | AUSTRIA | YES | ERITREA | YES | SAUDI ARABIA |
| NO | BAHAMAS | NO | FIJI | YES | SENEGAL |
| YES | BAHRAIN | NO | HUNGARY | NO | SLOVAKIA |
| YES | BANGLADESH | NO | ICELAND | YES | SOMALIA |
| NO | BRAZIL | YES | INDIA | NO | SOUTH AFRICA |
| NO | BULGARIA | YES | IRAQ | NO | SPAIN |
| ABST | BURKINA FASO | NO | ITALY | YES | TOGO |
| | CAMEROON | NO | JAPAN | | TUNISIA |
| NO | CHILE | NO | MEXICO | NO | UKRAINE |
| YES | CHINA | ABST | NEPAL | NO | UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND |
| NO | CROATIA | YES | NIGERIA | | |
| | CUBA | YES | PAKISTAN | NO | URUGUAY |
| 15 | YES | 24 | NO | 5 | ABST |

4.7 Seventh Amendment: L. 33

The seventh amendment proposed was:

Add Pp10:

“Underlining that this resolution should be implemented while ensuring respect for the sovereign right of each country as well as its national laws, development priorities, the various religious and ethical values and cultural backgrounds of its people and should also be in full conformity with universally recognized international human rights,”

The full amendment as filed can be found in Annex 2.

The amendment was defeated by a vote of 17 in favor, 22 against, 6 abstentions.

■ ■ ■ Mexico, Ms. Socorro Flores Liera - 01:17:17:



Thank you, Mr. President, the main sponsors of resolution L.10 / Rev.1, reject this amendment. As established in the Universal Declaration of Human Rights, all people are born free and equal in dignity and rights, including all rights and freedoms recognized in international instruments, without any kind of distinctions. Amendment L.33 places national sovereignty and cultural relativism above the universality of human rights.

While we do recognize the sovereign equality of States, and the right of each nation to determine their own political, legal, social and cultural order, we reject the fact that national sovereignty be used to justify violations of human rights and relativize the universality of human rights. This Council has the mandate to promote and enforce human rights and this should prevail over any particular consideration, including cultural practices or national legislation.

Similarly, non-violence and non-discrimination based on sexual orientation and gender identity is an issue the Council deals with just like other matters related to cultural practices, such as female genital mutilation or arbitrary deprivation of nationality. As we deal with these issues, we do not try to undermine sovereignty or cultural values, but rather to combat practices that are against human rights.

The intent of this amendment is to undermine the general purpose of this resolution and therefore, we will vote against it and ask all members of the Council to vote no on this amendment. Thank you.

Mr. Coly Seck, President of the Human Rights Council- 01:19:08:

I thank you; Australia has the floor.

■ ■ ■ Australia, Ms. Bethany-Kate Lewis -01:19:11:



Thank you, Mr. President. We reject amendment L.33. The international human rights framework was established to hold states accountable for the protection and fulfilment of individuals' human rights. A State's national laws do not override their obligations under international humanitarian rights law.

Recognition of cultural and religious differences is important in the work of this Council, and in society at large. This diversity is a natural part of society, and, like all forms of diversity, should be respected and celebrated. However, the protection of human rights transcends culture. Cultural or religious values do not exempt states from upholding their international human rights obligations. Australia will vote against amendment L.33 and we urge all members of the Council to do the same.

■ ■ ■ Mr. Coly Seck, President of the Human Rights Council- 01:19:08:



Thank you are there any further requests for the floor? I see none, therefore under the request of the Chilean delegation we will proceed to a recorded vote on amendment L.33. Could the secretariat please open the vote? Have all delegations voted? The voting is now closed, the result is as follows: 17 in favor, 22 against and 6 abstentions. The amendment is rejected. We will now proceed to amendment L.34. I give the floor to those Council members who wish to explain their votes before proceeding to voting. Mexico you have the floor.

L.33 - Amendment to draft resolution A/HRC/41/L.10/Rev.1

| | | | | | |
|------|--------------|------|---------------------------------|------|------------------------------------------------------------------|
| YES | AFGHANISTAN | NO | CZECH REPUBLIC | NO | PERU |
| ABST | ANGOLA | ABST | DEMOCRATIC REPUBLIC OF CONGO | ABST | PHILIPPINES |
| NO | ARGENTINA | NO | DENMARK | YES | QATAR |
| NO | AUSTRALIA | YES | EGYPT | ABST | RWANDA |
| NO | AUSTRIA | YES | ERITREA | YES | SAUDI ARABIA |
| YES | BAHAMAS | NO | FIJI | YES | SENEGAL |
| YES | BAHRAIN | NO | HUNGARY | NO | SLOVAKIA |
| YES | BANGLADESH | NO | ICELAND | YES | SOMALIA |
| NO | BRAZIL | YES | INDIA | NO | SOUTH AFRICA |
| NO | BULGARIA | YES | IRAQ | NO | SPAIN |
| ABST | BURKINA FASO | NO | ITALY | YES | TOGO |
| | CAMEROON | NO | JAPAN | YES | TUNISIA |
| NO | CHILE | NO | MEXICO | NO | UKRAINE |
| YES | CHINA | ABST | NEPAL | NO | UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND |
| NO | CROATIA | YES | NIGERIA | | |
| | CUBA | YES | PAKISTAN | NO | URUGUAY |
| 17 | YES | 22 | NO | 6 | ABST |

4.8 Eighth Amendment: L. 34

The eighth amendment proposed was:

Add Pp10:

“Underlining that this resolution should be implemented while ensuring respect for the sovereign right of each country as well as its national laws, development priorities, the various religious and ethical values and cultural backgrounds of its people and should also be in full conformity with universally recognized international human rights,”

The full amendment as filed can be found in Annex 2.

The amendment was defeated by a vote of 14 in favor, 25 against, 5 abstentions.

■ ■ ■ Mexico, Ms. Socorro Flores Liera - 01:21:21:



Mr. president, on behalf of the sponsors of this draft resolution L.10/Rev.1, my delegation rejects the proposed amendment that seeks to replace OP1, this means it would lose its original goal and approach. This amendment seeks to cover all the situations that affect all people, everywhere in the world and in any multiple circumstances, it would make this resolution irrelevant, especially when we consider that this general protection

is already established in the Universal Declaration of Human Rights. This amendment, although deplores violence and discrimination, does not pinpoint the specific, grave and systematic violence that affect people because of the grounds of their sexual orientation and gender identity, that is the issue at hand here under this draft resolution. This Council has energetically condemned violence and discrimination based on sexual orientation and gender identity. The proposed amendment runs counter to this joint condemnation and would claim that the human rights of these people are not a matter of concern for this Council. Resolution 60/251 of the General Assembly establishes that the Human Rights Council should be responsible for promoting universal respect for the protection of all human rights and fundamental freedoms for everyone, without any kind of distinction and in a fair and equal way. The Council cannot simply ignore the specific human rights of individuals who suffer violence and discrimination due to their sexual orientation or gender identity. Approving this amendment would send a very unfortunate message about the Council honesty and its readiness to tackle the acts of violence that have been highlighted on a regular basis. Therefore, we will vote against this amendment and we urge all delegations to vote against it too. Thank you.

Mr. Coly Seck, President of the Human Rights Council- 01:23:22:

Thank you, Australia has the floor.

■ ■ ■ Australia, Ms. Bethany-Kate Lewis - 01:23:27:



Thank you, Mr. President. We cannot accept amendment L.34. This amendment seeks to add a preambular paragraph deploring acts of violence and discrimination, on the basis of race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. We do not dispute the unacceptability of violence and discrimination on the basis of these things, but this long list is not an accurate reflection of all the

various bases for violence and discrimination as it excludes sexual orientation and gender identity – the focus of this resolution – and we cannot accept this omission. People of diverse sexual orientation and gender identities are often amongst the most marginalised in their societies, and experience high rates of violence and discrimination. This is not confined to any single country; it is a global phenomenon. This marginalisation is compounded by the fact that people of diverse sexual orientation and gender identities are often less visible in society - either hidden from view or driven to mask their orientation and identities for fear of persecution and violence. This amendment seeks to undermine the universality of human rights by failing to recognise that people are persecuted and discriminated against on the basis of sexual orientation and gender identity. Australia will therefore vote against this amendment. We urge all members of this Council to vote ‘no’.

■ ■ ■ Mr. Coly Seck, President of the Human Rights Council- 01:25:41:



Thank you, are there any other requests for the floor? I see none. Upon the request of the Chilean delegation the Council will now proceed to a recorded vote on amendment L.34. Will the secretariat please open up the voting? Have all the votes been recorded? The vote is closed. The result of the vote is as follows: 14 in favor, 25 against and 5 abstentions. The amendment is rejected.

The Council shall now examine amendment L.35, I now give the floor to the members of the Council who wish to explain their vote before the voting. Chile, Please.

L.34 - Amendment to draft resolution A/HRC/41/L.10/Rev.1

| | | | | | |
|-------------|--------------|-------------|---------------------------------|------------|------------------------------------------------------------------|
| YES | AFGHANISTAN | NO | CZECH REPUBLIC | NO | PERU |
| ABST | ANGOLA | ABST | DEMOCRATIC REPUBLIC OF CONGO | NO | PHILIPPINES |
| NO | ARGENTINA | NO | DENMARK | YES | QATAR |
| NO | AUSTRALIA | YES | EGYPT | NO | RWANDA |
| NO | AUSTRIA | YES | ERITREA | YES | SAUDI ARABIA |
| ABST | BAHAMAS | NO | FIJI | YES | SENEGAL |
| YES | BAHRAIN | NO | HUNGARY | NO | SLOVAKIA |
| YES | BANGLADESH | NO | ICELAND | YES | SOMALIA |
| NO | BRAZIL | ABST | INDIA | NO | SOUTH AFRICA |
| NO | BULGARIA | YES | IRAQ | NO | SPAIN |
| ABST | BURKINA FASO | NO | ITALY | YES | TOGO |
| | CAMEROON | NO | JAPAN | | TUNISIA |
| NO | CHILE | NO | MEXICO | NO | UKRAINE |
| YES | CHINA | NO | NEPAL | NO | UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND |
| NO | CROATIA | YES | NIGERIA | | |
| | CUBA | YES | PAKISTAN | NO | URUGUAY |
| 14 | YES | 25 | NO | 5 | ABST |

4.9 Ninth Amendment: L. 35

The ninth amendment proposed was:

To replace Op 2, 3, 4 and 5 with one operative paragraph reading:

“Requests the High Commissioner for Human Rights to present a report to the forty-fourth session on protection of all individuals against violence and discrimination committed against individuals because of their race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status with a focus on major challenges and best practices in this regard;”

The full amendment as filed can be found in Annex 2.

The amendment was defeated by a vote of 15 in favor, 26 against, 4 abstentions.

■ ■ ■ Chile, Mr. Juan Eduardo Eguiguren - 01:26:08:



Mr. President, on behalf of the main co-sponsors of the resolution, my delegation would like to reject the proposed amendment because it seeks to undermine the purpose and the approach of the initiative. This amendment completely overwrites the resolution by eliminating four paragraphs by removing all references to sexual orientation and gender identity and by undegrading the evaluation of the mechanism. With amendment L.35 we

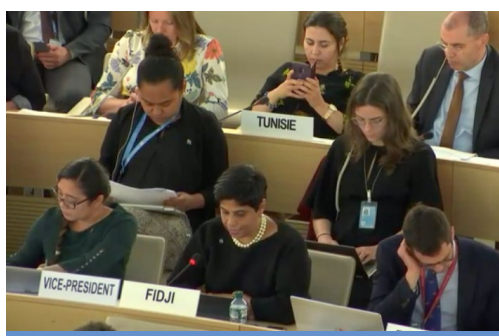
are facing the most aggressive of all presented amendments, given that it directly attacks the core of the initiative. The extension of the mandate of the Independent Expert is the core purpose of the resolution, it is indispensable to move forward in the battle against violence and discrimination on the grounds of sexual orientation and gender identity. The main sponsors proposed in 2016 the creation of the mechanism of the independent expert, given that it was believed that this model would improve our approach to the goals of having a constructive open dialogue. We continue to believe that the yearly reports on the problems of violence and discrimination on the grounds of sexual orientation and gender identity will not bring down the number of cases and the seriousness of the violations of human rights that take place worldwide on this issue. It is only through systematic ongoing work, through reports, visits and constructive dialogue that we will be able to raise awareness and improve understanding of our problems and propose solutions that address these problems to solve the problems of millions of affected. The amendment also has a generic approach of discrimination and violence for various reasons that are already cover in specific documents of the Human Rights Council. To redouble the work underway which is specialized in mandates and in the

Office of the High Commissioner is without a doubt a waste of the few resources available to the system. Which is why we would like to urge all delegations to continue to display their commitment to the promotion and protection of human rights by rejecting this amendment and voting 'No' on amendment L.35. I thank you.

Mr. Coly Seck, President of the Human Rights Council- 01:28:32:

I thank you; I know give the floor to Fiji.

■ ■ ■ Fiji, Ms. Nazhat Shameem Khan - 01:28:39:



Mr. President, Fiji opposes this amendment on the ground that in effect, it removes the entire purpose of the resolution which is to extend the mandate of the Independent Expert on the protection against violence and discrimination based on sexual orientation and gender identity. The amendment proposes a paragraph requesting the High Commissioner on Human Rights to present a report on discrimination against all individuals against

violence and discrimination but fails to deal specifically with discrimination on the grounds of sexual orientation and gender identity. Mr. President, not only this amendment removes the entire purpose of the resolution, it also rejects the purpose of the creation of the mandate and that there is in fact documented evidence of discrimination against people on the grounds of both sexual orientation and gender identity. Voting in favor of such an amendment would have the effect of frustrating and sabotaging this resolution. Mr. President we strongly oppose this amendment and we urge all members of the Council to vote against it. I thank you.

■ ■ ■ Mr. Coly Seck, President of the Human Rights Council- 01:30:27:



I thank you. Are there any further requests for the floor? I see none. Upon the request of the Chilean delegation, the Council will proceed to a recorded vote on amendment L.35 I ask the secretariat to open the voting please, could the delegations please vote? Have all the votes been recorded? Voting is now closed. And the result is as follows: Yes 15, No 26, Abstentions 4. Amendment L.35 is rejected. We should now proceed to examine amend-

ment L.36. I give the floor to those members of the Council who would like to explain their vote before voting on L.36. Chile, you have the floor.

L.35 - Amendment to draft resolution A/HRC/41/L.10/Rev.1

| | | | | | |
|------|--------------|------|---------------------------------|-----|------------------------------------------------------------------|
| YES | AFGHANISTAN | NO | CZECH REPUBLIC | NO | PERU |
| ABST | ANGOLA | ABST | DEMOCRATIC REPUBLIC OF CONGO | NO | PHILIPPINES |
| NO | ARGENTINA | NO | DENMARK | YES | QATAR |
| NO | AUSTRALIA | YES | EGYPT | NO | RWANDA |
| NO | AUSTRIA | YES | ERITREA | YES | SAUDI ARABIA |
| NO | BAHAMAS | NO | FIJI | YES | SENEGAL |
| YES | BAHRAIN | NO | HUNGARY | NO | SLOVAKIA |
| YES | BANGLADESH | NO | ICELAND | YES | SOMALIA |
| NO | BRAZIL | ABST | INDIA | NO | SOUTH AFRICA |
| NO | BULGARIA | YES | IRAQ | NO | SPAIN |
| ABST | BURKINA FASO | NO | ITALY | YES | TOGO |
| | CAMEROON | NO | JAPAN | YES | TUNISIA |
| NO | CHILE | NO | MEXICO | NO | UKRAINE |
| YES | CHINA | NO | NEPAL | NO | UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND |
| NO | CROATIA | YES | NIGERIA | | |
| | CUBA | YES | PAKISTAN | NO | URUGUAY |
| 15 | YES | 26 | NO | 4 | ABST |

4.10 Tenth Amendment: L. 36

The tenth amendment proposed was:

Add PP11:

“Reiterating the importance of respecting regional, cultural and religious value systems as well as particularities in considering human rights issues and underlining the fundamental importance of respecting the relevant domestic debates at the national level on these matters;”

The full amendment as filed can be found in Annex 2.

The amendment was defeated by a vote of 17 in favor, 22 against, 6 abstentions.

■ ■ ■ Chile, Mr. Juan Eduardo Eguiguren - 01:31:08:



Mr. President, as main co-sponsors of the draft resolution L.10/Rev/1 we strongly reject amendment L.36. The proposed amendment by this group of countries combines two of the amendments presented in 2016, exactly repeating the very same language and reiterating the very same mistakes from the last time, it is not only a wrong quotation of the article 5 of the Vienna Declaration and Programme of Action, but also fails to take into

account that the article is already included in the revised version one of our resolution, L.10. This is an unnecessary reiterative and unspecific amendment. Indeed, the main co-sponsors of the resolution believe that all human rights are universal, indivisible, interdependent and interrelated and that the international community should address human rights worldwide in a fair and adequate manner with the same conditions and the same approach. The text is clear in indicating that it must take into account the importance of the national and regional specificities, as well as the different historical, religious and cultural background. But at the same time, it is in competence of the States regardless of their political economic and cultural systems to promote and protect all human rights and fundamental freedoms. The concern of some States with the inclusion of items included in the Vienna Declaration and Programme of Action are covered in our resolution. It is for this reason that we call upon members of the Human Rights Council to strengthen the principle of universality while at the same time the importance of national and regional specificities and the diverse cultural, religious and national backgrounds. We reiterate and urge all member states to reject the amendment L.36.

Mr. Coly Seck, President of the Human Rights Council – 01:33:10:

I thank you; I now give the floor to Fiji.

■ ■ ■ Fiji, Ms. Nazhat Shameem Khan 01:33:16



Thank you, Mr. President. The amendment intends to undermine the international human rights framework and in particular the core principle of universality by imposing cultural relativity in the application of human rights standards. The principle of universality affirms that all human beings are born free and equal and that human rights and fundamental freedoms cannot be subject to

selective recognition and protection. Fiji is a country with strong cultural and religious views which have not always been seen as been compatible with international human rights laws and standards. However, we as a people have come to accept that human rights are universal and that cultural values have a greater chance of survival if they have the ability to adapt to the concepts of equality, dignity and respect. It is for that reason that our law and judicial reasoning have adopted a language of universality, even in the face of cultural conservatism. Such conservatism, has in time and with leadership, rejected acts and laws which seek to discriminate against persons and groups on the basis of sexual orientation and gender identity. No culture or country or ideology can justify discriminating against, committing acts of violence against or dehumanizing any person on the grounds of sexual orientation or gender identity. This resolution seeks to extend the mandate of a special mandate holder, which will continue to identify ways in which we, as member states can protect our citizens against such violence, discrimination and dehumanization. This is, after all, one of the core roles of the Human Rights Council. Mr. President, we therefore oppose this amendment, on the grounds that it undermines the universality of rights, the relevance and importance of the Human Rights Council and values of dignity and respect for all human beings, and in the context of this resolution, specifically, respect for the dignity of persons on the basis of sexual orientation and gender identity. We urge all members of the council to vote against this amendment. Thank you, Mr. President.

■ ■ ■ Mr. Coly Seck, President of the Human Rights Council - 01:36:08:



I thank you. Are there any other requests for the floor? If there is not the case, the Council upon the request of the delegation of Chile shall proceed to a recorded vote on amendment L.36. I would like to ask the secretariat to please open the voting. Have all the delegations cast their votes? The voting is now closed. The result is as

follows: Yes 17, No 22, Abstentions 6. The amendment L.36 is rejected. We shall now proceed to examine draft resolution L.10/Rev.1. I would like to give the floor to the delegations who would like to explain their votes before the voting. Bahamas, you have the floor.

L.36 - Amendment to draft resolution A/HRC/41/L.10/Rev.1

| | | | | | |
|------|--------------|------|---------------------------------|------|------------------------------------------------------------------|
| YES | AFGHANISTAN | NO | CZECH REPUBLIC | NO | PERU |
| ABST | ANGOLA | ABST | DEMOCRATIC REPUBLIC OF CONGO | ABST | PHILIPPINES |
| NO | ARGENTINA | NO | DENMARK | YES | QATAR |
| NO | AUSTRALIA | YES | EGYPT | ABST | RWANDA |
| NO | AUSTRIA | YES | ERITREA | YES | SAUDI ARABIA |
| YES | BAHAMAS | NO | FIJI | YES | SENEGAL |
| YES | BAHRAIN | NO | HUNGARY | NO | SLOVAKIA |
| YES | BANGLADESH | NO | ICELAND | YES | SOMALIA |
| NO | BRAZIL | YES | INDIA | NO | SOUTH AFRICA |
| NO | BULGARIA | YES | IRAQ | NO | SPAIN |
| ABST | BURKINA FASO | NO | ITALY | YES | TOGO |
| | CAMEROON | NO | JAPAN | YES | TUNISIA |
| NO | CHILE | NO | MEXICO | NO | UKRAINE |
| YES | CHINA | ABST | NEPAL | NO | UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND |
| NO | CROATIA | YES | NIGERIA | | |
| | CUBA | YES | PAKISTAN | NO | URUGUAY |
| 17 | YES | 22 | NO | 6 | ABST |

Chapter 5:

Voting on the Resolution L.10/Rev.1

Explanations of votes before voting by delegations

■ ■ ■ **Bahamas, Mr. Frank Davis 01:36:51:**



Mr. President, the subject of sexual orientation and gender identity continues to be a matter of ongoing domestic discourse in the Bahamas. Nevertheless, The Bahamas expresses its principled support of efforts to combat all forms of discrimination and violence against all persons on any grounds and to promote tolerance. Persons who are in same-sex relationships are able to avail themselves of existing protection and remedies available under the law, in respect of violence or assault or property rights. The LGBTQI community within the Bahamas has a platform and members represent their groups in a number of national and regional organizations. During the 71st session of the General Assembly, The Bahamas supported the resolution that adopted the annual report on the Human Rights Council, which included too Human Rights Council resolution 32/2, the establishment of the mandate for an independent expert on protection against violence and discrimination based on sexual orientation and gender identity. We reaffirm that no person should be subjected to violence or discrimination on any grounds and it is for this reason that the Bahamas will vote in favor of draft resolution L.10 Rev.1. I thank you.

Mr. President, the subject of sexual orientation and gender identity continues to be a matter of ongoing domestic discourse in the Bahamas. Nevertheless, The Bahamas expresses its principled support of efforts to combat all forms of discrimination and violence against all persons on any grounds and to promote tolerance. Persons who are in same-sex relationships are able to avail themselves of existing protection and remedies available under the law, in respect of violence or assault or property rights. The LGBTQI community within the Bahamas has a platform and members represent their groups in a number of national and regional organizations. During the 71st session of the General Assembly, The Bahamas supported the resolution that adopted the annual report on the Human Rights Council, which included too Human Rights Council resolution 32/2, the establishment of the mandate for an independent expert on protection against violence and discrimination based on sexual orientation and gender identity. We reaffirm that no person should be subjected to violence or discrimination on any grounds and it is for this reason that the Bahamas will vote in favor of draft resolution L.10 Rev.1. I thank you.

Mr. Coly Seck, President of the Human Rights Council - 01:38:08:

I thank you. I now call Hungary.

■ ■ ■ **Hungary, Ms. Zsuzsanna Horváth 01:38:15:**



Thank you, Mr. President. Hungary strongly rejects all forms of discrimination or violence on any basis, including on sexual orientation and gender identity. In the meantime, Hungary reserves the sovereign right to define the personal scope and the content of family relations and of marriage in accordance with its national legislation. Therefore, Hungary will abstain on resolution

L.10/Rev.1. We also wish to underline that Hungary deems of utmost importance that the mandate and activities and carried out by the UN Independent Expert on SOGI observes international law and internationally recognized human rights standards. While the current legislation in Hungary reflects the prohibition of all forms of discrimination or violence on any ground or status, including on sexual orientation and gender identity we continuously believe that other avenues than the nomination of an independent expert might help countries in a better way to develop their own human rights legal framework. We request that our explanation of vote be recorded in the record of this meeting. Thank you.

Mr. Coly Seck, President of the Human Rights Council - 01:39:32:

I thank you; I now call Tunisia.

■■■ **Tunisia, Mr. Walid Doudech 01:39:37**



Thank you, Mr. President, the draft resolution L.10/Rev.1 renews the mandate of the Independent Expert on the protection against violence and discrimination on the basis sexual orientation and gender identity. Tunisia firmly believes in the role played by mandate holders in developing human rights systems and promoting human rights culture in its general character in a way to develop the national legislations and in line with countries'

international commitments. We believe that positive cooperation with mandate holders requires that we should be open to them and cooperate with them without selectivity or discrimination and on the basis of mutual confidence and respect and on the basis of national priorities. But under Constitution, Tunisia is committed to avoid distinctions among citizens on whatever basis and this requires that we should respect each other given our differences and different orientations. Our constitution provides for the protection of dignity of our citizens and prevents aggressions against citizens or any discrimination on the basis of gender identity or sexual orientation. We believe in dialogue and in tackling all issues and putting them to discussion in a democratic atmosphere. This belief is based in our trust in acceptance of the others opinion because this is the foundation of building democratic society on the basis of citizenship, non-discrimination and respect of dignity for all. On this basis, we will vote in favor of L.10/Rev.1. I thank you Mr. President.

Mr. Coly Seck, President of the Human Rights Council - 01:39:32:

I thank you and now call the Czech Republic. I will just note that the Czech Republic has removed its name from the list of co-sponsors of the resolution, this is reflected in the e-delegate.

■ ■ ■ **Czech Republic, Mr. Jan Kára 01:42:03**



Thank you, Mr. President. We would like to thank the core group, Argentina, Brazil, Chile, Colombia, Costa Rica, Mexico and Uruguay for presenting this important initiative in a further transparent and inclusive manner in which it was negotiated. The Czech Republic strongly supports the extension of the mandate of the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity in the resolution

L.10/Rev.1. As a traditional co-sponsor of the resolution we are pleased to note that all the hostile amendments were rejected, and we thank all members of the Council who voted against them. It is true that the international community has different views on complex issues such as gay marriage or adoption. None of those are included in the resolution. On the contrary, the resolution is based in one of the most basic rights: the right of every human being to non-discrimination. And we wonder how this could be perceived as an imposed foreign matter. Mr. President, the Czech Republic believes that is the role of sovereign States to protect, respect and promote the human rights of all persons. Just like the Council protects persons discriminated against for their religion or race and to that end adopts specific resolutions, we cannot ignore those discriminated on other grounds. Addressing violence and discrimination based on sexual orientation and gender identity requires significant efforts. Some of them will take time, some of them can be taken now. We believe that the present resolution is a step in the right direction. That is why the Czech Republic is going to vote 'yes' for the resolution and we strongly encourage others to do the same. I thank you.

Mr. Coly Seck, President of the Human Rights Council - 01:43:59:

I thank you. I now give the floor to Australia and I note as well that Australia has withdrawn itself from the list of co-sponsors and this is also reflected in the e-delegates.

■ ■ ■ **Australia, Ms. Bethany-Kate Lewis - 01:44:09:**



Thank you, Mr. President. The Universal Declaration of Human Rights states that all human beings are born free and equal in dignity and rights. This article is reflected at the very core of this resolution. Australia condemns violence and discrimination in all cases. The high rates of discrimination and violence on the basis of sexual orientation and gender identity demonstrate that this Council must continue to prioritise this issue, and that we must

continue efforts to understand and address underlying causes of this discrimination and violence. The debate we have just witnessed within the Council today has only reaffirmed the need for L.10/Rev.1 on protection against violence and discrimination based on sexual orientation and gender identity, and the renewal of the mandate of the Independent Expert. People of diverse sexual orientations and gender identities are often marginalised and less visible within their societies. The impact of this reality on the enjoyment of their human rights should not be underestimated. The Independent Expert confirmed this in his latest, and very insightful, report which highlighted the importance of data collection to inform policy and prevent, prosecute and punish human rights violations. We recognise the exemplary efforts of the main sponsors of this resolution in conducting a transparent and inclusive negotiation process, which is reflected in the procedural nature of L.10/Rev.1. We also regret that none of the amendments dealt with today were proposed for open discussion during the negotiation process. The Council's rejection of the hostile amendments reaffirms the importance of this resolution, and its wide support. Australia will vote in favour of this resolution, in support for the universality of human rights, and ending violence and discrimination on the basis of sexual orientation and gender identity. We call on all members of the Council to vote Yes. And Australia reinstates its co-sponsorship on L.10.

Mr. Coly Seck, President of the Human Rights Council - 01:46:16:

I thank you and now call Pakistan.

■■■ Pakistan (on behalf of the OIC except Albania and Tunisia), Mr. Tahir Hussain Andrabi 01:46:28:



Thank you, Mr. President. We take floor on behalf of OIC except Albania and Tunisia. The OIC position on resolution L.10 is guided by the OIC resolution on Cultural, Social and Family Affairs adopted during the 46th Session of the Council of Foreign Ministers meeting held in Abu Dhabi, UAE. This is not a position of just a “group of States” as inaccurately stated by one delegation. The OIC has always upheld the principle and values of non-violence and non-discrimination on any ground against any individual or group in accordance with the well-established principles set out in international human rights law. We condemn violence and discrimination in all its forms against individuals. We uphold the inherent dignity of all individuals. We believe that protection against violence should be given to all individuals based on race, birth, colour, sex, language, religion, political or other opinion, national or social origin, property or any other status. At the same time, the OIC is concerned at the introduction in the United Nations of concepts and new notions that have no legal foundation in any international human rights

framework, including the Universal Declaration of Human Rights and other UN human rights instruments. These notions contradict the fundamentals of universality of human rights and would serve to weaken the Human Rights Council. We are perturbed at the introduction of controversial topics that are not universally agreed and represent a particular set of values and lifestyles not accepted by the majority of societies and that directly impinge on the socio-cultural and religious sensitivities of a number of UN Member States. The OIC has repeatedly cautioned against the negative consequences of introducing such controversial initiatives in the Council, an intergovernmental body, to whose work we attach extreme importance. The resolution represents the failure of the spirit of consensual and constructive engagement in this august body. At a time when the Council needs to return to its foundational principles, agreed at its inception in UNGA resolution 60/251- principles such as cooperation, respect for each other's cultural and religious particularities- the draft resolution, we believe will create further fissures within the Council. This should be avoided. For the reasons highlighted, the OIC calls for a vote on the draft A/HRC/L10/Rev1 and requests the Council members to support its call against efforts to polarize the Council and make human rights agenda controversial. The OIC also dissociates with the whole resolution in case its adopted. The number of countries joining this statement, Mr. President is still higher than those co-sponsoring this resolution. I thank you.

■ ■ ■ **Mr. Coly Seck, President of the Human Rights Council - 01:50:26:**



I thank you. Are there any further requests to explain the vote before the vote? I see none. Under request of the delegation of Pakistan the Council will now proceed to a recorded vote on draft resolution L.10/Rev.1. I would like to ask the secretariat to open up the voting and could delegations please record their votes? Have all the votes been recorded? Voting is now closed. The result of the voting is as follows: Yes 27, No 12, Abstention 7. Resolution L.10/Rev.1 is adopted.

L.10/Rev.1 - Mandate of the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity

| | | | | | |
|-------------|--------------|-------------|------------------------------|-------------|------------------------------------------------------|
| NO | AFGHANISTAN | YES | CZECH REPUBLIC | YES | PERU |
| ABST | ANGOLA | ABST | DEMOCRATIC REPUBLIC OF CONGO | YES | PHILIPPINES |
| YES | ARGENTINA | YES | DENMARK | NO | QATAR |
| YES | AUSTRALIA | NO | EGYPT | YES | RWANDA |
| YES | AUSTRIA | NO | ERITREA | NO | SAUDI ARABIA |
| YES | BAHAMAS | YES | FIJI | ABST | SENEGAL |
| NO | BAHRAIN | ABST | HUNGARY | YES | SLOVAKIA |
| NO | BANGLADESH | YES | ICELAND | NO | SOMALIA |
| YES | BRAZIL | ABST | INDIA | YES | SOUTH AFRICA |
| YES | BULGARIA | NO | IRAQ | YES | SPAIN |
| ABST | BURKINA FASO | YES | ITALY | ABST | TOGO |
| | CAMEROON | YES | JAPAN | YES | TUNISIA |
| YES | CHILE | YES | MEXICO | YES | UKRAINE |
| NO | CHINA | YES | NEPAL | YES | UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND |
| YES | CROATIA | NO | NIGERIA | | |
| YES | CUBA | NO | PAKISTAN | YES | URUGUAY |
| 27 | YES | 12 | NO | 7 | ABST |

Annex 1 - resolution as filed and adopted

Human Rights Council

Forty-first session

24 June–12 July 2019

Agenda item 3

**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Albania,* Argentina, Australia, Austria, Belgium,* Bolivia (Plurinational State of),* Brazil, Bulgaria, Canada,* Chile, Colombia,* Costa Rica,* Croatia, Cyprus,* Czechia, Denmark, Ecuador,* Estonia,* Fiji, Finland,* France,* Georgia,* Germany,* Greece,* Honduras,* Iceland, Ireland,* Israel,* Italy, Japan, Latvia,* Liechtenstein,* Lithuania,* Luxembourg,* Malta,* Mexico, Montenegro,* Netherlands,* New Zealand,* North Macedonia,* Norway,* Portugal,* Romania,* Slovakia, Slovenia,* South Africa, Spain, Sweden,* Switzerland,* Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay: draft resolution

41/... Mandate of the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity

The Human Rights Council,

Reaffirming the Universal Declaration of Human Rights,

Recalling General Assembly resolution 60/251 of 15 March 2006, in which the Assembly stated that the Human Rights Council should be responsible for promoting universal respect for the protection of all human rights and fundamental freedoms for all, without distinction of any kind and in a fair and equal manner,

Recalling also Human Rights Council resolutions 17/19 of 17 June 2011, 27/32 of 26 September 2014 and 32/2 of 30 June 2016,

Recalling further Human Rights Council resolutions 5/1 and 5/2 of 18 June 2007,

Recalling that the Vienna Declaration and Programme of Action affirms that all human rights are universal, indivisible and interdependent and interrelated, that the international community must treat human rights globally in a fair and equal

manner, on the same footing, and with the same emphasis, and that while the significance of national and regional particularities and various historical, cultural and religious backgrounds must be borne in mind, it is the duty of States, regardless of their political, economic and cultural systems, to promote and protect all human rights and fundamental freedoms,

1. *Welcomes* the work undertaken by the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity in the implementation of the mandate, the comprehensive, transparent and inclusive consultations conducted with relevant stakeholders, the thematic reports and the undertaking of country visits to different regions;
2. *Decides* to extend the mandate of the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity for a period of three years to enable the mandate holder to continue to work in accordance with the mandate established by the Human Rights Council in its resolution 32/2;
3. *Requests* the Secretary-General and the United Nations High Commissioner for Human Rights to continue to provide the Independent Expert with all the human, technical and financial resources necessary for the continuation of the effective fulfilment of the mandate;
4. *Calls upon* all Governments to cooperate with and assist the Independent Expert by supplying all necessary information requested by the mandate holder, and responding favourably to the requests of the Independent Expert to visit their countries to fulfil the mandate more effectively;
5. *Requests* the Independent Expert to continue to report annually on the implementation of the mandate to the Human Rights Council and the General Assembly in accordance with their respective programmes of work.

*State not a member of the Human Rights Council.

Annex 2- amendments as proposed

First amendment – [A/HRC/41/L.27](#)

Human Rights Council

Forty-first session

24 June–12 July 2019

Agenda item 3

**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Pakistan:* amendment to draft resolution A/HRC/41/L.10/Rev.1

**41/... Mandate of the Independent Expert on protection against violence and
discrimination based on sexual orientation and gender identity**

The title should read

**Protection against violence and discrimination on any basis, such as race, colour,
sex, language, religion, political or other opinion, national or social origin, prop-
erty, birth or other status**

On behalf of the States Members of the United Nations that are members of the Organization
of Islamic Cooperation, except Albania and Tunisia

Second amendment [A/HRC/41/L.28](#)

Human Rights Council

Forty-first session

24 June–12 July 2019

Agenda item 3

**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Pakistan:* amendment to draft resolution A/HRC/41/L.10/Rev.1

41/... Mandate of the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity

The third preambular paragraph *should read*

Recalling also all Human Rights Council resolutions relevant to protection against violence and discrimination on any basis, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status,

On behalf of the States Members of the United Nations that are members of the Organization of Islamic Cooperation, except Albania and Tunisia.

Third amendment [A/HRC/41/L.29](#)

Human Rights Council

Forty-first session

24 June–12 July 2019

Agenda item 3

Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Pakistan:* amendment to draft resolution A/HRC/41/L.10/Rev.1

41/... Mandate of the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity

After the last preambular paragraph, insert a new preambular paragraph *reading*
Stressing the need to maintain joint ownership of the international human rights agenda and to consider human rights issues in an objective and non-confrontational manner,

On behalf of the States Members of the United Nations that are members of the Organization of Islamic Cooperation, except Albania and Tunisia.

Fourth amendment [A/HRC/41/L.30](#)

Human Rights Council

Forty-first session

24 June–12 July 2019

Agenda item 3

Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Pakistan:* amendment to draft resolution A/HRC/41/L.10/Rev.1

41/... Mandate of the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity

After the last preambular paragraph, insert a new preambular paragraph *reading Undertaking* to support the broad and balanced agenda of the Human Rights Council and to strengthen the mechanisms addressing issues of importance, including fighting racism, racial discrimination, xenophobia and related intolerance, in all their forms,

On behalf of the States Members of the United Nations that are members of the Organization of Islamic Cooperation, except Albania and Tunisia.

Fifth amendment [A/HRC/41/L.31](#)

Human Rights Council

Forty-first session

24 June–12 July 2019

Agenda item 3

**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Pakistan:* amendment to draft resolution A/HRC/41/L.10/Rev.1

41/... Mandate of the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity

After the last preambular paragraph, insert a new preambular paragraph *reading*
Deploring the use of external pressure and coercive measures against States,
particularly developing countries, including through the use and threat of use
of economic sanctions and/or application of conditionality on official develop-
ment assistance, with the aim of influencing relevant domestic debates and deci-
sion-making processes at the national level,

On behalf of the States Members of the United Nations that are members of the Organization
of Islamic Cooperation, except Albania and Tunisia.

Sixth amendment [A/HRC/41/L.32](#)

Human Rights Council

Forty-first session

24 June–12 July 2019

Agenda item 3

**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Pakistan:* amendment to draft resolution A/HRC/41/L.10/Rev.1

41/... Mandate of the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity

After the last preambular paragraph, insert a new preambular paragraph *reading*
Concerned by any attempt to undermine the international human rights system by seeking to impose concepts or notions pertaining to social matters, including private individual conduct, that fall outside the internationally agreed human rights legal framework, and taking into account the fact that such attempts constitute an expression of disregard for the universality of human rights,

On behalf of the States Members of the United Nations that are members of the Organization of Islamic Cooperation, except Albania and Tunisia.

Seventh amendment [A/HRC/41/L.33](#)

Human Rights Council

Forty-first session

24 June–12 July 2019

Agenda item 3

**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Pakistan:* amendment to draft resolution A/HRC/41/L.10/Rev.1

**41/... Mandate of the Independent Expert on protection against violence and
discrimination based on sexual orientation and gender identity**

After the last preambular paragraph, insert a new preambular paragraph
reading

Underlining that the present resolution should be implemented while ensuring respect for the sovereign right of each country and its national laws, development priorities and the various religious and ethical values and cultural backgrounds of its people, and should also be in full conformity with universally recognized international human rights,

On behalf of the States Members of the United Nations that are members of the Organization of Islamic Cooperation, except Albania and Tunisia.

Eight amendment [A/HRC/41/L.34](#)

Human Rights Council

Forty-first session

24 June–12 July 2019

Agenda item 3

Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Pakistan:* amendment to draft resolution A/HRC/41/L.10/Rev.1

41/... Mandate of the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity

Paragraph 1 *should read*

1. *Deplores* acts of violence and discrimination, in all regions of the world, committed against individuals because of their race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status;

On behalf of the States Members of the United Nations that are members of the Organization of Islamic Cooperation, except Albania and Tunisia.

Ninth amendment – [A/HRC/41/L.35](#)

Human Rights Council

Forty-first session

24 June–12 July 2019

Agenda item 3

Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Pakistan:* amendment to draft resolution A/HRC/41/L.10/Rev.1

41/... Mandate of the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity

Delete paragraphs 2, 3, 4 and 5 and replace them with a new paragraph reading

2. *Requests* the United Nations High Commissioner for Human Rights to present a report to the Human Rights Council at its forty-fourth session on the protection of all individuals against violence and discrimination committed against them because of their race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status, with a focus on major challenges and best practices in this regard;

On behalf of the States Members of the United Nations that are members of the Organization of Islamic Cooperation, except Albania and Tunisia.

Tenth amendment – A/HRC/41/L.36

Human Rights Council

Forty-first session

24 June–12 July 2019

Agenda item 3

Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Pakistan:* amendment to draft resolution A/HRC/41/L.10/Rev.1

41/... Mandate of the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity

After the last preambular paragraph, insert a new preambular paragraph *reading* *Reiterating* the importance of respecting regional, cultural and religious value systems as well as particularities when considering human rights issues, and underlining the fundamental importance of respecting relevant domestic debates at the national level on these matters,

On behalf of the States Members of the United Nations that are members of the Organization of Islamic Cooperation, except Albania and Tunisia.

Annex 3 - Voting table

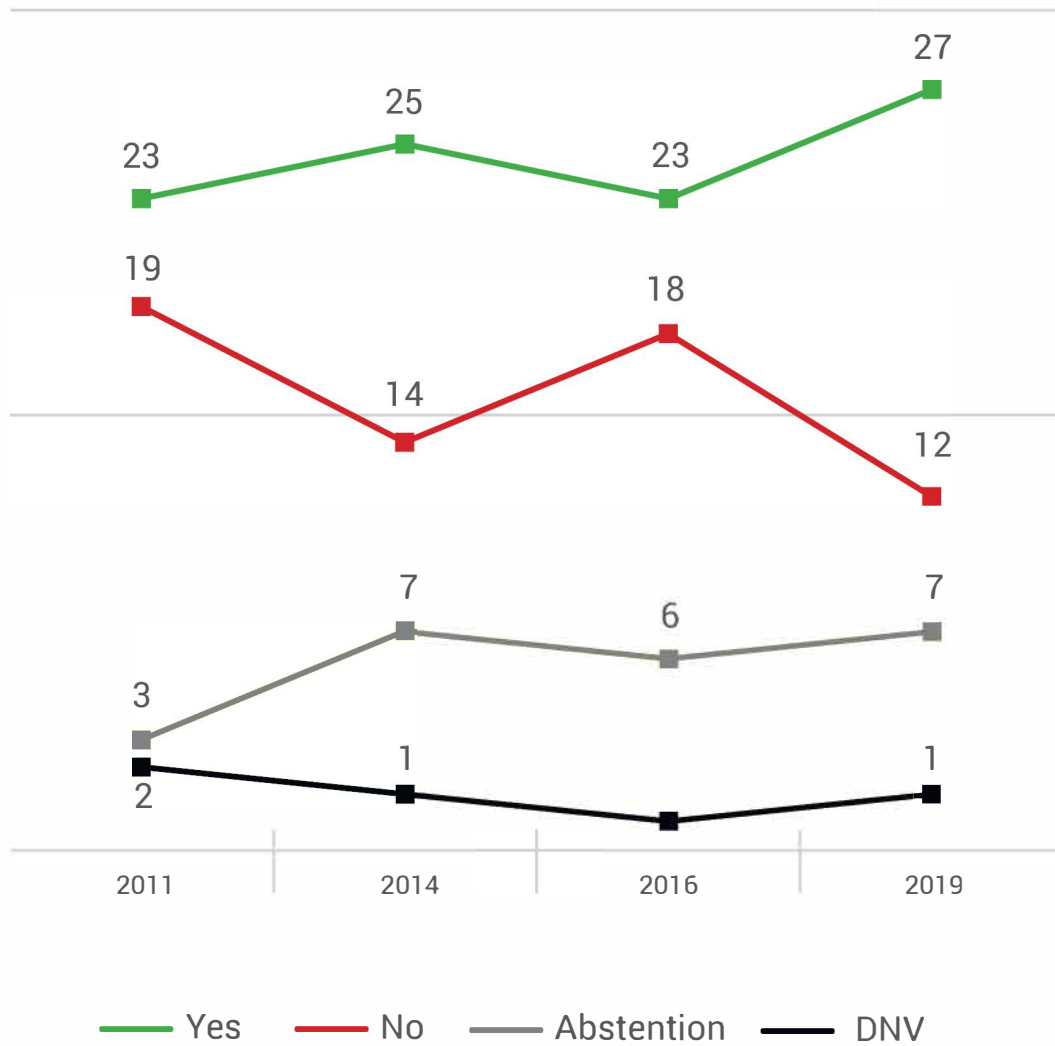
| STATE | GP | Written Amendments | | | | | | | | | | Final Vote |
|------------|----------------|-------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------|------------------------------|
| State | Regional Group | 1st Hostile Amendment (L.27) Remove SOGI from the title | 2nd. hostile amend. (L.28) Removing the PP with ref. to SOGI resolutions and changing to general anti-discrimination | 3rd hostile amend. (L.29) Insert PP on joint ownership of HRs agenda | 4th hostile amend. (L.30) Insert PP on racism, racial discrim., xenophobia & other forms of intolerance | 5th hostile amend. (L.31) Add PP deploring external coercive measures | 6th hostile amend. (L.32) Add PP on concern on imposing concepts on social matters, incl. private conduct | 7h hostile amend. (L.33) Add PP on respect for sovereign right of each country | 8th hostile amend. (L.34) Remove references to SOGI when deploring violence and discrim. in OP1 | 9th hostile amend. (L.35) Remove call for Ind. Expert and replace with an OHCHR report | 10th hostile amend. (L.36) Add PP respect regional, cultural & religious value systems | Resolution L.10/Rev.1 |
| Y | | 13 | 14 | 18 | 16 | 15 | 15 | 14 | 14 | 14 | 17 | 27 |
| N | | 26 | 25 | 22 | 22 | 24 | 24 | 24 | 25 | 27 | 22 | 12 |
| A | | 5 | 5 | 5 | 6 | 5 | 5 | 6 | 5 | 4 | 6 | 7 |
| DNV | | 3 | 3 | 3 | 3 | 3 | 3 | 3 | 3 | 2 | 2 | 1 |

| | | | | | | | | | | | | |
|--------------|--------------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| Angola | African Group | A | A | A | A | A | A | A | A | A | A | A |
| Burkina Faso | African Group | A | A | A | A | A | A | A | A | A | A | A |
| Cameroon | African Group | DNV | DNV | DNV | DNV | DNV | DNV | DNV | DNV | DNV | DNV | DNV |
| DRC | African Group | A | A | A | A | A | A | A | A | A | A | A |
| Egypt | African Group | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | N |
| Eritrea | African Group | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | N |
| Nigeria | African Group | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | N |
| Rwanda | African Group | N | N | N | A | N | N | A | N | Y | A | Y |
| Senegal | African Group | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | A |
| Somalia | African Group | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | N |
| South Africa | African Group | N | N | N | N | N | N | N | N | N | N | Y |
| Togo | African Group | Y | Y | Y | Y | A | A | Y | Y | Y | Y | A |
| Tunisia | African Group | DNV | DNV | DNV | DNV | DNV | DNV | Y | DNV | Y | Y | Y |
| Afghanistan | Asia Pacific Group | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | N |

| | | | | | | | | | | | | |
|--------------|--------------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|---|
| Bahrain | Asia Pacific Group | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | N |
| Bangladesh | Asia Pacific Group | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | N |
| China | Asia Pacific Group | A | Y | A | Y | Y | Y | Y | Y | Y | Y | N |
| Fiji | Asia Pacific Group | N | N | N | N | N | N | N | N | N | N | Y |
| India | Asia Pacific Group | A | A | A | Y | Y | Y | Y | A | A | Y | A |
| Iraq | Asia Pacific Group | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | N |
| Japan | Asia Pacific Group | N | N | N | N | N | N | N | N | N | N | Y |
| Nepal | Asia Pacific Group | N | N | N | A | N | N | A | N | N | A | Y |
| Pakistan | Asia Pacific Group | Y | Y | Y | Y | Y | Y | N | Y | Y | Y | N |
| Philippines | Asia Pacific Group | N | A | N | Y | Y | Y | A | N | N | A | Y |
| Qatar | Asia Pacific Group | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | N |
| Saudi Arabia | Asia Pacific Group | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | N |
| Bulgaria | EEG | N | N | N | N | N | N | N | N | N | N | Y |
| Croatia | EEG | N | N | N | N | N | N | N | N | N | N | Y |
| Czechia | EEG | N | N | N | N | N | N | N | N | N | N | Y |
| Hungary | EEG | N | N | N | N | N | N | N | N | N | N | A |
| Slovakia | EEG | N | N | N | N | N | N | N | N | N | N | Y |
| Ukraine | EEG | N | N | N | N | N | N | N | N | N | N | Y |
| Argentina | GRULAC | N | N | N | N | N | N | N | N | N | N | Y |
| Bahamas | GRULAC | N | N | N | A | A | A | Y | A | N | Y | Y |
| Brazil | GRULAC | N | N | N | N | N | N | N | N | N | N | Y |
| Chile | GRULAC | N | N | N | N | N | N | N | N | N | N | Y |
| Cuba | GRULAC | DNV | DNV | DNV | DNV | DNV | DNV | DNV | DNV | DNV | DNV | Y |
| Mexico | GRULAC | N | N | N | N | N | N | N | N | N | N | Y |
| Peru | GRULAC | N | N | N | N | N | N | N | N | N | N | Y |
| Uruguay | WEOG | N | N | N | N | N | N | N | N | N | N | Y |
| Australia | WEOG | N | N | N | N | N | N | N | N | N | N | Y |
| Austria | WEOG | N | N | N | N | N | N | N | N | N | N | Y |
| Denmark | WEOG | N | N | N | N | N | N | N | N | N | N | Y |

| | | | | | | | | | | | | |
|----------------|------|---|---|---|---|---|---|---|---|---|---|---|
| Iceland | WEOG | N | N | N | N | N | N | N | N | N | N | Y |
| Italy | WEOG | N | N | N | N | N | N | N | N | N | N | Y |
| Spain | WEOG | N | N | N | N | N | N | N | N | N | N | Y |
| United Kingdom | WEOG | N | N | N | N | N | N | N | N | N | N | Y |

Annex 4 - Voting record on SOGI resolutions chart



Annex 5 - Index of states speaking

| | | | | |
|-----------------------|-----------|-----------|-----------|-----------|
| Argentina | 11 | 36 | 39 | |
| Australia | 44 | 47 | 50 | 61 |
| Austria | 27 | 31 | 34 | |
| Bahamas | 58 | | | |
| Bangladesh | 15 | | | |
| Chile | 19 | 52 | 55 | |
| Czechia | 59 | | | |
| Denmark | 21 | | | |
| Egypt | 18 | | | |
| Fiji | 23 | 53 | 56 | |
| Hungary | 58 | | | |
| Iceland | 23 | | | |
| Mexico | 43 | 46 | 49 | |
| Nigeria | 18 | | | |
| Pakistan | 14 | 61 | | |
| Peru | 25 | | | |
| Qatar | 17 | | | |
| Saudi Arabia | 16 | | | |
| Saudi Africa | 22 | 27 | | |
| Tunisia | 59 | | | |
| United Kingdom | 24 | 37 | 40 | |
| Uruguay | 12 | 26 | 30 | 33 |

Annex 6 - Media pieces on the IE SOGI renewal

- [Joint press release of several organizations on the result of the voting](#)
- [Rainbow glitters after the storm: The UN Human Rights Council Resolution on SOGI \(Philippines\)](#)
- [We Need an LGBTQ Advocate at the U.N. – Now More Than Ever](#)
- [Human rights defenders around the world urge States to #RenewIESOGI](#)
- [UN Human Rights Council must commit to protecting the rights of LGBTQ people](#)
- [Mandate Renewal of Independent Expert on Sexual Orientation and Gender Identity At Risk](#)
- [The UN mandate for protection of LGBT persons extended: „ The mandate holder is our megaphone“](#)
- [1.246 Organisationen fordern LGBTIQ*-Experten für UN](#)
- [UN-Menschenrechtsrat erneuert Mandat für LGBTI-Ermittler](#)
- [UN erneuert Mandat für LGBTQ-Experten](#)
- [UN Human Rights Council stands firm on LGBTI violence, Syria detainees and Philip-pines ‘war on drugs’](#)
- [Homophobic nations suffer a major loss at the United Nations](#)
- [UN votes to keep Independent Expert on sexuality and gender](#)
- [Conselho de Direitos Humanos aprova resoluções sobre Filipinas, Síria e comunidade LGBTI](#)
- [WORLD Alan Turing, Theresa May, UN expert, South Korea military](#)
- [The Mandate of the SOGI Independent Expert: The compelling case for its renewal in 2019](#)
- [#RenewIESOGI](#)
- [Call to action – Join the CSOs urging the HRC to #RenewIESOGI](#)
- [First video of the #RenewIESOGI campaign](#)
- [Second video of the #RenewIESOGI campaign](#)
- [Flavia Piovesan, IACHR Rapporteur for LGBTI rights on the #RenewIESOGI](#)
- [Ghana: Is it time for the Government of Ghana to invite the Independent Expert on Sexual Orientation and Gender Identity for an official ‘country visit’?](#)
- [Will India Finally Support the UN Mandate on Sexual Orientation and Gender Identity?](#)

Annex 7 - List of original co-sponsors of the resolutions

| 2019 Resolution (41/18) | 2016 Resolution (32/2) |
|-----------------------------------------|-----------------------------------------|
| Albania | Albania |
| Argentina | Argentina |
| Australia | Australia |
| Austria | Austria |
| Belgium | Belgium |
| Bolivia (Plurinational State of) | Bolivia (Plurinational State of) |
| Brazil | Brazil |
| Bulgaria | Bulgaria |
| Canada | Canada |
| Chile | Chile |
| Colombia | Colombia |
| Costa Rica | Costa Rica |
| Croatia | Croatia |
| Cyprus | Cyprus |
| Czechia | Czech Republic |
| Denmark | Denmark |
| Ecuador | El Salvador |
| Estonia | Finland |
| Fiji | France |
| Finland | Germany |
| France | Greece |
| Georgia | Honduras |

| | |
|-------------------------------------------------------------|---------------------------------|
| Germany | Iceland |
| Greece | Ireland |
| Honduras | Israel |
| Iceland | Liechtenstein |
| Ireland | Luxembourg |
| Israel | Malta |
| Italy | Mexico |
| Japan | Montenegro |
| Latvia | New Zealand |
| Liechtenstein | Norway |
| Lithuania | Portugal |
| Luxembourg | Slovenia |
| Malta | Spain |
| Mexico | Sweden |
| Montenegro | Ukraine |
| Netherlands | United States of America |
| New Zealand | Uruguay |
| North Macedonia | |
| Norway | |
| Portugal | |
| Romania | |
| Slovakia | |
| Slovenia | |
| South Africa | |
| Spain | |
| Sweden | |
| Switzerland | |
| Ukraine | |
| United Kingdom of Great Britain and Northern Ireland | |
| Uruguay | |

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