

Speaking points of Mr Lionel Veer, Ambassador for Human Rights of the Netherlands on the report “Discrimination on grounds of sexual orientation and gender identity in Europe” of the Commissioner for Human Rights of the Council of Europe, 23 June 2011

Check against delivery

The Netherlands warmly welcomes the Council of Europe report entitled “Discrimination on grounds of sexual orientation and gender identity in Europe”. As one of the financial supporters of this project, the Netherlands believes it is important that our policies to fight discrimination and violence against LGBT people are based on a thorough analysis of both the legal and factual aspects of the position of LGBT people in our societies.

The report shows that the human rights of LGBT people are still grossly violated in large parts of the Council of Europe territory. There is no room for complacency. In a number of Council of Europe member states even the most basic human rights such as the freedom of expression and the freedom of assembly are infringed upon when it comes to LGBT people collectively demanding equal rights. The report describes that bans or administrative impediments imposed on public LGBT demonstrations were identified in 12 member states, and in some instances the police have failed to protect peaceful demonstrators from violent assaults.

Other human rights, such as the right to privacy and the right to access to health care, education and employment are even violated on a larger scale. Discrimination against LGBT people in these fields is widespread and governments often fail to effectively protect LGBT people against fellow homophobic citizens denying their rights.

The Commissioner’s report can be an important tool to bring about change. Not only in Europe, but also beyond. Last week the UN Human Rights Council adopted a resolution that tasks the UN High Commissioner to conduct research on the state of LGBT rights in the world. The Council of Europe report can and must be a useful source of inspiration to the UN High Commissioner, whose final report is due for December of this year.

The Council of Europe report is a good example of fruitful and close cooperation between the EU and the Council of Europe. The report shows the importance of the Council of Europe and the EU Fundamental Rights Agency continuing to work together in the field of human rights research.

Now it is time to implement the recommendations presented in the report. We need to turn our conclusions into action. This requires the creation of a structure that monitors the follow up of both the report and the Recommendation 2010(5) as adopted by the Committee of Ministers last year. The Netherlands believes that the most suited body within the Council of Europe to take up this task is the European Commission on the Prevention of Racism and Intolerance (ECRI). We are ready to provide any technical or other kind of support to help overcome the obstacle of lack of capacity within ECRI’s secretariat to address intolerance and discrimination on grounds of sexual orientation and gender identity”.