

**ANNI STATEMENT ON  
SEXUAL ORIENTATION AND GENDER IDENTITY**

**1<sup>st</sup> Biennial Conference of the Asia Pacific Forum of National Human Rights Institutions  
7-8 September 2011, Bangkok, Thailand**

1. Human rights defenders at the Asian NGO Network on National Human Rights Institutions (ANNI) Regional Conference held on 5-6 September 2011 in Bangkok, Thailand affirm their commitment to sexual orientation and gender identity issues as human rights issues, and urge the Asia Pacific Forum of National Human Rights Institutions (APF) to take up these issues.
2. Respect for all human beings without distinction is a principle embodied in the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, and the International Covenant on Economic, Social and Cultural Rights, and is a commitment of every State Party.
3. The Yogyakarta Principles on the Application of International Human Rights Law in Relation to Sexual Orientation and Gender Identity recognized that “all human beings are born free and equal in dignity and rights and that everyone is entitled to the enjoyment of human rights without distinction of any kind.” The Principles affirm the primary obligation of States to implement human rights, and they provide detailed recommendations.
4. However, sexuality minorities, or people discriminated against due to their sexual identity/orientation or gender identity have not been afforded respect. They suffer from several layers and forms of discrimination and violence.
5. We call on the APF to revisit the Advisory Council of Jurists (ACJ) 2010 reference on sexual orientation and gender identity (ACJ Report: Human Rights, Sexual Orientation and Gender Identity) and determine the successes as well as challenges that it has encountered in the past year.
6. We encourage the APF to require its member NHRIs to work closely with civil society in breathing life into these recommendations, and to monitor and put special emphasis on NHRIs with unique levels of difficulty due to domestic and cultural limitations.
- 7. We call on NHRIs to:**
  - i. Condemn all forms of intolerance against human beings of all sexual orientations and gender identities;
  - ii. Act independently on human rights violations irrespective of government policy in relation to sexual orientation and gender identity issues;
  - iii. Ensure protection and establish safeguards against backlash in the assertion of rights on the basis of sexual orientation and gender identity;
  - iv. Publicly advocate for non-discrimination and address instances of violence and discrimination perpetrated on the basis of sexual orientation and gender identity;
  - v. Provide spaces for discussion and engagement on sexual orientation and gender identity issues and be the conduit through which civil society can advocate directly with government agencies;

- vi. Be proactive in making linkages with civil society to act promptly in response to human rights violations based on sexual orientation and gender identity; and
  - vii. Focus efforts on multi-sectoral long-term strategic planning – being proactive rather than reactive.
8. While we recognize that many NHRIs are on a staged approach in implementing recommendations on sexual orientation and gender identity, we request the APF to closely monitor that the steps, no matter how small, are steps towards compliance and full inclusivity.
  9. With myriad different cultures, religions, languages and dialects, Asia-Pacific is the most diverse region in the world. As human rights defenders in ANNI, we have embraced this spirit of diversity and have striven to be inclusive of all.
  10. With this statement, we proclaim our commitment to the upholding and protection of human rights and to ensuring that the principle of inclusivity is fully extended to the region's sexual minorities.
  11. No violence please, no discrimination please and no criminalization please.