



Family Policy Brief

The Office of the High Commissioner for Human Rights

2010-2011 Strategic Plan to Promote Sexual Rights

In December 2009, the UN High Commissioner for Human Rights, Navanethem Pillay, released the OHCHR's six thematic strategies for 2010-11. Of concern to those who seek to safeguard the institution of the family is the Commissioner's second strategy, which encompasses "*countering discrimination*" against those who are "*marginalized.*" OHCHR defines "*marginalized*" groups to include "*sexual minorities*"—a term commonly known to encompass homosexuals, bisexuals, transgenders, and transexuals. By establishing such a overbroad category of people who should be protected from discrimination, OHCHR is able to further implement their plan to advance the sexual rights agenda.

The OHCHR's strategic plan further reveals their goal to broadly interpret UN treaties to include protections for sexual minorities with the following statement:

"While certain grounds for discrimination are the focus of specific treaties (e.g racial discrimination or discrimination on the basis of sex or disabilities), the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, drawing directly on the language of the UDHR, extend protection to include discrimination on the basis of any "other status," which treaty bodies have interpreted broadly."

What they are referring to here is the activist interpretation of UN Committees that have overstepped their mandates by declaring that the words "*other status*" in the non-discrimination clauses of the UDHR, the ICCPR, and the ICESCR now include protections for "*sexual orientation,*" despite the fact that the majority of UN Member States that are party to these treaties have specifically rejected such special protections. And they have rejected "*sexual orientation*" as a distinct class meriting protection because (i) sexual behavior is a choice, not a fixed characteristic like race, and therefore does not merit special protections; and (ii) providing sexual minorities with special protections would undermine the institutions of marriage and the family, as well as conflict with the majority of nations' religious and cultural values.

For the Commissioner to reinterpret the phrase "*other status*" to mean "*any*" status opens the way for the OHCHR to use this phrase as a Trojan Horse to promote sexual rights under the cover of a need to prevent discrimination. In fact, listed as one of the OHCHR's "*top priorities for 2010-2011*" is their plan "*to place special emphasis on the needs of groups and individuals affected by social exclusion*" and they list "*sexual minorities*" as one of those groups. The Commissioner then outlines their plan "*to raise public awareness of discrimination through a global information campaign: Embrace Diversity, End Discrimination.*"

In other words, the high commissioner will likely be embarking on a campaign to encourage people to embrace homosexuality and transgenderism among other things.

Also of concern is the OHCHR's proposed activity to “*organize regional seminars on incitement to discrimination,*” which they would likely interpret to include any religious, cultural, or moral teachings that discourage homosexuality or other sexual relations outside of marriage. Such seminars could be held by OHCHR’s 56 field offices throughout the world to train activists to pressure countries to change their laws and policies that protect the institution of the family—for example, laws preserving marriage as a man/woman institution and laws that protect religious and cultural values that run counter to controversial sexual rights and which the OHCHR might consider to incite discrimination toward sexual minorities.

Finally, OHCHR also proposes to “*Organize other seminars and panel discussions on a range of discrimination related topics, such as racial discrimination and discrimination based on religion, disability, sex and sexual orientation.* (Emphasis added). Again, they have arbitrarily added the very controversial category of “*sexual orientation*” without consulting UN Member States, knowing that many States strongly oppose such a category.

Policy Implications

If the Office of the High Commissioner of Human Rights is allowed to arbitrarily adopt the highly controversial mandate of promoting special protections for homosexuals and transgenders and other “sexual minorities” without being challenged, this will set a harmful precedent that will not easily be reversed. It will also undermine and weaken the institution of the family as the fundamental group unit of society, and divert the attention of the OHCHR from working to prevent true human rights violations throughout the world.

UN Member States should consider passing a resolution in the General Assembly instructing the OHCHR to revise their Strategic 2010-2011 plan to exclude plans to promote and protect sexual orientation and/or “sexual minorities” since these categories have never been recognized by UN Member States to be legitimate classes meriting protection, in fact, these categories have been specifically rejected in a number of UN negotiations. UN Member States should send a clear message to the OHCHR that the Commissioner’s 2010-2011 strategic plan oversteps the offices mandate in seeking to promote and protect controversial sexual rights and that this will not be tolerated by UN Member States.