

## International Day against Homophobia, Biphobia and Transphobia (IDAHOBIT)

*The General Assembly,*

¶<sup>1</sup> *Guided* by the purposes and principles of the Charter of the United Nations, and recalling the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, (Based on A/RES/73/128 pp1)

¶<sup>2</sup> *Reaffirming* the positive role that the exercise of the right to freedom of opinion and expression and full respect for the freedom to seek, receive and impart information can play in strengthening democracy and combating [religious intolerance] and reaffirming further that the exercise of the right to freedom of expression carries with it special duties and responsibilities, in accordance with article 19 of the International Covenant on Civil and Political Rights, (Verbatim A/RES/73/296 pp5)

¶<sup>3</sup> *Bearing in mind* that Member States have the primary responsibility to promote human rights, including the human rights of persons with [non-binary] sexual orientation and gender identity, (Based on A/RES/73/128) <sup>diverse</sup>

¶<sup>4</sup> *Taking note with appreciation* of the reports of the Independent Experts on protection against violence and discrimination based on sexual orientation and gender identity<sup>1</sup>,

¶<sup>5</sup> *Recognizing* also the importance of inclusion, mutual respect, respect for human rights, tolerance and understanding, in order to build a more secure and peaceful world, (A/RES/73/128 pp11)

¶<sup>6</sup> *Reaffirming* that discrimination against human beings on <sup>any</sup> ~~the~~ grounds <sup>including</sup> of sexual orientation and gender identity, constitutes an affront to human dignity and a disavowal of the principles of the Charter, (Based on A/RES/73/285 pp3)

¶<sup>7</sup> *Reaffirming* the obligation of Member States to prohibit discrimination and violence on the basis of sexual orientation and gender identity, and to implement measures to guarantee the equal and effective protection of the law (Based on a/res/75/309 pp5)

¶<sup>8</sup> *Emphasizing* the importance of effective accountability with regard to all forms of sexual violence and of strengthening efforts to put an end to the impunity of the perpetrators of such crimes by holding <sup>them</sup> [these perpetrators] accountable under national justice systems or, where applicable, international justice, (Verbatim A/RES/69/293 pp6) Move after PP13

¶<sup>9</sup> *Recognizing* that Hate speech is any kind of communication in speech, writing or behavior, that attacks or uses projective or discriminatory language with reference to person or a

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<sup>1</sup> Add references...

group on the basis of who they are, inter alia, gender, sexual orientation and gender identity or other identity factor, and that such actions may cause violation of human rights and promote violence based on sexual orientation and gender identity (Based on the UN Strategy and Plane of Action on Hate Speech)

<sup>¶10</sup> *Expressing* deep concern at all acts of hate speech that undermine the spirit of tolerance and respect for diversity and constitute a serious common concern for all Member States, and convinced that there is no justification for hate speech, whatever be the motivation, (Verbatim A/RES/75/309 pp14)

<sup>¶11</sup> *Expressing* grave concern at acts of violence and discrimination, in all regions of the world, committed against individuals because of their sexual orientation and gender identity, (Verbatim A/HRC/RES/27/32 pp6)

<sup>¶12</sup> *Recognizing*, that violence and discrimination on the basis of sexual orientation and gender identity are perpetrated in a wide variety of public and private settings against LGBT persons, including by family members, friends, [faith-based community members] community members, police officers, members of the justice sector, landlords and co-workers, (Based on A/74/181 p.93)

<sup>¶13</sup> *Further Recognizing* the importance of providing timely assistance and increasing access to health care and other multisectoral services for survivors of sexual violence and of promoting their rehabilitation and non-stigmatization, (Verbatim A/RES/69/293 pp5)

<sup>¶14</sup> *Emphasizing* that social inclusion requires urgent measures to dismantle the systems of repression that enforce the idea that diversity in sexual orientation and gender identity is somehow harmful to society and that LGBT persons are somehow disordered or that their identities are criminal (A/74/181 p.95)

<sup>¶15</sup> *Recognizing* that working together to enhance the implementation of existing legal regimes that protect individuals against discrimination and hate crimes, increasing interreligious, interfaith and intercultural efforts and expanding human rights education are important first steps in combating incidents of intolerance, discrimination and violence against individuals on the basis of sexual orientation and gender identity religion or belief, (Based on A/RES/73/296 pp14)

<sup>¶16</sup> *Welcoming* positive developments at the international, regional and national levels in the fight against violence and discrimination based on sexual orientation and gender identity, (Verbatim A/HRC/RES/27/32 pp7)

1. *Decides* to proclaim 17 May as the International Day Against Homophobia, Transphobia and Biphobia, to be observed each year beginning in 2022;

2. *Invites* all Member States, organizations and agencies of the United Nations system, other international and regional organizations and civil society organizations, non-governmental organizations, academic institutions, the private sector, individuals and other relevant stakeholders to observe the International Day Against Homophobia, Transphobia and Biphobia, as appropriate, with the cost covered exclusively by voluntary contributions; (Based on A/RES/75/309 op3)
3. *Encourages* all Member States and international organizations to generate public awareness regarding homophobia, transphobia and biphobia, to enlighten the public about the dangers of intolerance and to react with renewed commitment and action in support of the promotion of tolerance and human rights, (Based on A/RES/75/309 op11)
4. *Condemns* any advocacy of hatred that constitutes incitement to discrimination, hostility or violence, including towards LGBTI persons, whether it involves the use of print, audiovisual or electronic media, social media or any other means; (Based on A/RES/75/309 op5)
5. Calls upon all member states to dismantle all legislation that criminalizes sexual orientation and gender identity, as well as legislation that, without explicitly criminalizing it, has that effect in practice; and to adopt legislation enshrining anti-discrimination measures with explicit reference to sexual orientation and gender identity; (A/74/181 p.98a+b)
6. *Calls upon* Member States, who have the primary responsibility to prevent violence and counter discrimination and hate speech, and all relevant actors, including political and religious leaders, to promote inclusion and unity and to speak out and take strong action against racism, xenophobia, hate speech, violence, discrimination, including on the basis of sexual orientation and gender identity; (Based on A/RES/75/309 op16)
7. *Requests* the Secretary-General to bring the present resolution to the attention of all Member States, the organizations of the United Nations system and civil society organizations for appropriate observance; (Verbatim A/RES/73/296 op3)