

AG/RES. 2908 (XLVII-O/17)

PROMOTION AND PROTECTION OF HUMAN RIGHTS ^{1/2/3/}

(Adopted at the third plenary session, held on June 21, 2017)

THE GENERAL ASSEMBLY,

HAVING SEEN the “Annual Report of the Permanent Council to the General Assembly June 2016-June 2017” (AG/doc.5565/17 add. 1), in particular the section on the activities of the Committee on Juridical and Political Affairs (CAJP);

CONSIDERING that the programs, activities, and tasks set out in the resolutions within the purview of the CAJP help to further the essential purposes of the Organization enshrined in the Charter of the Organization of American States (OAS);

REAFFIRMING the norms and principles of international law and those contained in the Charter of the OAS, international human rights law, and international humanitarian law, as well as the rights enshrined in the American Declaration of the Rights and Duties of Man, the American Convention on Human Rights, and other binding inter-American instruments on this subject, as well as the important role played by the organs of the inter-American human rights system in promoting and protecting human rights in the Americas; and

RECALLING declarations AG/DEC. 71 (XLIII-O/13) and AG/DEC. 89 (XLVI-O/16); resolutions AG/RES. 2887 (XLVI-O/16) and AG/RES. 2888 (XLVI-O/16); as well as all previous resolutions adopted on this topic,

[...]

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- ^{1.} Guatemala reaffirms that it has the sovereign right to enforce its Constitution and its domestic laws, taking into account its priorities and development plans, and in a way that is compatible ...
 - ^{2.} The Bolivarian Republic of Venezuela does not agree to any commitment or mandate issued in this resolution as it did not participate in the negotiation of said resolution ...
 - ^{3.} Trinidad and Tobago is unable to join the consensus on this document, as some areas are contrary to the laws of the Republic. Trinidad and Tobago remains firmly committed to the promotion and ...

xii. Human rights, sexual orientation, and gender identity and expression^{4/5/6/7/8/9/10/}

TAKING INTO ACCOUNT that lesbian, gay, bisexual, transgender, and intersex (LGBTI) persons are subject to various forms of violence and discrimination based on the perception of their sexual orientation and gender identity or gender expression; recognizing that many challenges remain regarding the promotion and protection of the human rights of LGBTI persons; and taking into consideration the important work carried out by the IACHR Rapporteurship on the matter,

RESOLVES:

1. To condemn all forms of discrimination and acts of violence on the basis of sexual orientation and gender identity or expression; to urge member states within the parameters of the legal institutions of their domestic systems to eliminate, where they exist, barriers faced by lesbian, gays, bisexual, trans, and intersex (LGBTI) persons to equal access to political participation and other areas of public life, and to avoid interferences in their private life; and to encourage member states to consider adopting public policies against discrimination and violence by reason of sexual orientation and gender identity or expression.

2. To condemn acts of violence and human rights violations committed by reason of sexual orientation and gender identity or expression; to urge member states to strengthen their national institutions, including through the production of data on homophobic and transphobic violence for the promotion of public policies that protect the human rights of LGBTI persons, with a view to preventing and investigating acts of violence and ensuring due judicial protection for victims on an equal footing and that the perpetrators are brought to justice; in addition, to consider the recommendations contained in the report “Violence against Lesbian, Gay, Bisexual, Trans and Intersex Persons in the Americas” adopted by the IACHR in November 2015, with the aim of adopting and implementing effective measures to combat violence and discrimination against LGBTI persons.

3. To urge member states to ensure adequate protection for human rights defenders who work in the area of violence, discrimination, and human rights violations committed against individuals on the basis of their sexual orientation and gender identity or expression.

4. To urge member states to afford appropriate protection to intersex people and to implement policies and procedures, as appropriate, to ensure medical practices that are consistent with applicable human rights standards.

^{4.} The Republic of Paraguay reiterates its commitment toward the principles of the Universal Declaration of Human Rights and international conventions signed on the topic, ...

^{5.} The State of Guatemala declares that it promotes and defends all human rights. With respect to the provisions of this section, it reaffirms the equality of all human beings under the provisions of ...

^{6.} The Government of Suriname remains committed to promoting and defending all human rights for all and, based on the principle of equality by which all who are ...

^{7.} The Government of Jamaica is fully committed to protecting the human rights of all its citizens including from any form of violence in accordance with the rule of law ...

^{8.} Saint Lucia is unable to agree to this section. Most of the terms are not defined under international agreements and resolutions to which Saint Lucia is committed. ...

^{9.} The Government of Barbados is unable to join consensus on the approval of this section given that a number of the issues and terms contained in the resolution are neither reflected ...

^{10.} Saint Vincent and the Grenadines is unable to join consensus on the approval of this resolution. Saint Vincent and the Grenadines promotes and defends human rights, and reaffirms ...

5. To request the IACHR and the General Secretariat to continue to pay particular attention to activities related to protection and promotion of the rights of LGBTI persons, including the preparation of studies and regional or thematic reports and the generation of spaces for exchanges of good practices; and to urge member states to support the efforts of the Commission and the General Secretariat in that connection.