



**COUNCIL OF
THE EUROPEAN UNION**



Brussels, 15 May 2009
9823/09 (Presse 126)
P 53

**Declaration by the Presidency on behalf of the European Union
on the International Day against Homophobia on 17 May**

In the context of the International Day Against Homophobia, the Presidency of the Council on behalf of the European Union reaffirms the principle of non-discrimination which requires that human rights apply equally to every human being regardless of sexual orientation and gender identity.

The European Union rejects and condemns any manifestation of homophobia as this phenomenon is a blatant violation of human dignity. It considers that discrimination on the grounds of sexual orientation and gender identity is incompatible with the basic principles on which the EU is founded, and it is and will remain committed to the prevention and eradication of discrimination based on the six grounds mentioned in Article 13 of the EC Treaty, which include sexual orientation.

P R E S S

Rue de la Loi 175 B - 1048 BRUSSELS Tel.: +32 (0)2 281 6319 Fax: +32 (0)2 281 8026
press.office@consilium.europa.eu <http://www.consilium.europa.eu/Newsroom>
9823/09 (Presse 126)

I
EN

We are deeply concerned by violations of human rights and fundamental freedoms based on sexual orientation or gender identity wherever they occur, in particular the use of death penalty on this ground, the practice of torture or other cruel, inhuman and degrading treatment or punishment, arbitrary arrest or detention, denying the right to peaceful assembly and deprivation of economic, social and cultural rights, including the right to health.

We urge the States to take all necessary measures to ensure that sexual orientation and gender identity may under no circumstances be the basis for criminal penalties and that such human rights violations are investigated and perpetrators held accountable and brought to justice.

The European Union welcomes the ever increasing support to these principles in the world and recalls in this context that 67 States from different regions condemned violations based on sexual orientation and gender identity in the General Assembly Statement on Human Rights, Sexual Orientation and Gender Identity of 18 December 2008.

The Candidate Countries Turkey, Croatia* and the former Yugoslav Republic of Macedonia*, the Countries of the Stabilisation and Association Process and potential candidates Albania, Bosnia and Herzegovina, Montenegro, Serbia, and the EFTA countries Iceland, Liechtenstein and Norway, members of the European Economic Area, as well as Ukraine, Armenia and Georgia align themselves with this declaration.

* Croatia and the former Yugoslav Republic of Macedonia continue to be part of the Stabilisation and Association Process.