



HUMAN RIGHTS HOUSE
FOUNDATION

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Item 5
General debate

Human Rights House Foundation statement

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Thank you Mr. Chairperson,

The Human Rights House Foundation acknowledges the report of the Advisory Committee on the promotion and protection of human rights through a better understanding of traditional values of mankind.¹

We regret that the Advisory Committee does not firmly affirm in its report that the concept of traditional values does not have a legal basis. Human rights are based on international treaties and are therefore enriched in law domestically, regionally and internationally, unlike traditional values.

If we wish to identify a set of values universally shared, we can firmly assert that those values have been already enshrined in the Universal Declaration of Human Rights and in other international human rights mechanisms.

The concept of traditional values cannot even be invoked to justify the protection of cultural diversity and integrity, which are already embedded in various instruments of international human rights law.² The Vienna Declaration and Programme of Action of 12 July 1993 provides explicit consideration for culture in human rights promotion and protection, stating “the significance of national and regional particularities and various historical, cultural and religious backgrounds must be borne in mind.” This is deliberately acknowledged in the context of the duty of States to promote and protect human rights regardless of their cultural systems. **While the integrity and importance**

¹ Study of the Human Rights Council Advisory Committee on promoting human rights and fundamental freedoms through a better understanding of traditional values of humankind A/HRC/22/71, 6 December 2012.

² International instruments protecting cultural diversity and integrity include: the International Bill of Rights; the Convention on the Rights of the Child; the International Convention on the Elimination of All Forms of Racial Discrimination; the Declaration on Race and Racial Prejudice; the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief; the Declaration on the Principles of International Cultural Cooperation; the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities; the Declaration on the Right to Development; the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; and the ILO Convention No. 169 on the Rights of Indigenous and Tribal Peoples.

of cultural rights are recognized by all, they are part of the obligation of any State under international human rights law.

The Human Rights Council's resolution 16/3 on traditional values claims that traditional values contribute to promote and protect human rights worldwide. Traditional values however are often invoked to justify human rights violations and unlawful practices in many different cultures and societies. As stated by Article 19, a member of the Human Rights House Network, in its latest publication on traditional values, the concept is even more worrying "given the domestic context of those countries supporting [the concept]."³ Amongst violations we can mention violence against women, female genital mutilation, discrimination against sexual minorities and minority groups, forced and early marriage, acid attacks, caste-based discrimination, slavery and servitude.⁴

The concept of traditional values undermines the principle of universality of human rights and brings the international community back to the long-standing debate over universal human rights and cultural relativism.⁵ As a matter of fact, **States advocating traditional values in reality aim at raising their own cultural norms and particularities above international law and standards.**

As part of an effort to promote traditional Russian values, in January 2013 the Russian Federal Parliament passed in first reading the law against "Propaganda of homosexuality", already enacted in several Russian cities. The law makes it an offense to distribute "information that can harm the health or the process of moral and spiritual development of minors" **on the official pretext that "homosexuality creates distorted perceptions about social equality of traditional and non-traditional family relationships."**

This worrisome trend is just one example of where the legal definition of traditional values can head. The United Nations Special Rapporteurs on freedom of expression, human rights defenders, cultural rights, and on the right to health warned that the bill may undermine the enjoyment and promotion of human rights in Russia, unjustifiably singling out lesbian, gay, bisexual, transgender and intersex people, who have increasingly become the target of sanctions and violence in the country.⁶ **As in many others countries, Russia justifies violating rights of LGBT people because of traditional values.**

Giving legal force to the concept of traditional values opens the door to a dangerous framework, where States and non-State actors can invoke this concept to justify human rights violations.

We call upon the Human Rights Council to hold strongly its mandate on the protection and promotion of human rights and to reject any initiative that "undercut the principle of universality of human rights, namely that human rights are the same for all individuals, everywhere at all times," as laid down in article 5 in the Vienna Declaration and Programme of Action, in the Universal Declaration of Human Rights and in various human rights instruments.⁷

Thank you Mr. Chairperson.

³ "Traditional values? Attempts to censor sexuality", Article 19, 2013 (see: <http://www.article19.org/resources.php/resource/3641/en/what's-wrong-with-tradition?-how-'homosexual-propaganda'-bans-violate-human-rights>).

⁴ E/CN.4/2002/83, para. 1.

⁵ <http://www.un.org/rights/dpi1627e.htm>

⁶ Joint press release of 1 February 2013 issued by the United Nations Special Rapporteurs on freedom of expression, human rights defenders, cultural rights, and on the right to health.

⁷ <http://www.norway-geneva.org/unitednations/humanrights/21-session-of-the-Human-Rights-Council1/Norwegian-Statements-during-the-21st-session-of-the-Human-Rights-Council/Norway-calls-for-vote-on-the-draft-resolution-on-traditional-values-and-human-rights/>