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**Permanent Mission of Pakistan to the UN
Geneva**

Statement

347th Session of the Governing Body of ILO

**Statement delivered by Ambassador Zaman Mehdi, Deputy Permanent
Representative on behalf of the OIC countries on
Programme and Budget Proposal 2024-2025
(17 March 2023)**

Madam Chairperson,

I reluctantly take the floor on behalf of members of the OIC Group to reiterate some of the key elements of our approach towards this Governing Body's discussion on the contested issue of 'Sexual Orientation and Gender Identity' (SOGI) from the prism of discrimination in the world of work.

We remain committed to counter and combat discrimination against anybody, anywhere, including workplaces, on any grounds recognized under international law.

Madam Chairperson,

While the objections to the use of the controversial term 'Sexual Orientation and Gender Identity' in documents of legal and normative implications have already been raised in this room, let me very briefly outline this conversation in the three questions of legality, mandate, and relevance.

On the question of legality - international law stipulates clear grounds for discrimination. These have been codified in international human rights covenants, which do not include SOGI.

Concepts of any real or perceived emerging ground of discrimination for addition must be first universally agreed upon before an effort is made to graft it into documents that entail potential legal obligations for member states, especially those whose legal systems prohibit these concepts.

This Governing Body need not promote this legal complication.

Alternately, we propose this body adhere to using terms and concepts that are universally agreed upon by all member states.

Second is the question of the mandate. An international organization's mandate is anchored in its constitution and guided by international law. None of these provide any basis to promote the concept of SOGI in the context of this discussion. There has never been any consensus on using the term SOGI in the UN General Assembly and the Human Rights Council.

Mandates flowing from programs and budgets based on inter-governmentally agreed consensus hold as for as that consensus can hold.

Let us not forget that the principle of sovereign equality is the first and the founding principle of the United Nations, of which ILO is a specialized agency. Just as states, the actions and policies of international organizations are bound by international law. This principle is undisputed and has been reiterated by the International Court of Justice in various advisory opinions.

An international organization cannot assume a mandate opposed by a significant body of its members, who may then be expected to treat the outcomes of such a mandate as an obligation under international law.

An international organization is indeed mandated to pursue actions and programs in line with its overarching objectives. But the exercise of such mandates cannot sidestep international law and pursue actions inconsistent with its members' legal systems that already adhere to international law.

Madam Chairperson,

Finally, the question of relevance. The discussion to provide a legal scaffolding to personal sexual preferences or behaviors belongs to the UN General Assembly and the Human Rights Council. If those bodies have achieved no consensus, then technical and budgetary documents of specialized agencies should not be instrumentalized to create a false façade of universality. Let this debate take place where it belongs.

Let me conclude by reaffirming that it is important to join hands to combat discrimination in legal ways and promote cooperation.

Imposing a minority's social perspective on others is not fighting discrimination. Instead, it is fostering it.

Thank you
