



Statement on behalf of OIC by Mr. Afaq Ahmad, Counsellor during Interactive Dialogue with the Report of the Special Rapporteur on the Right of Everyone to the Enjoyment of the Highest Attainable Standard of Physical and Mental Health

20 June 2022

Mr. President,

On behalf of OIC Member States except Albania, we take note of the report of the Special Rapporteur (SR). We reaffirm our support to the realization of right to health by everyone without any discrimination. We have, however, noted an effort in the report to integrate divisive concepts such as 'Sexual Orientation and Gender Identity (SOGI)' into the human rights discourse. We wish to clarify certain aspects in this regard.

First, The SOGI concept has no legal basis in the internationally agreed human rights legal framework. Such efforts are, therefore, Ultra Vires to universal legal principles or norms.

Second, the existing international human rights law already provides sufficient clarity to combat violence and discrimination against any person or group on any ground. Efforts to push new set of international rights to suit private sexual conduct should instead be redirected to other important areas of mass human rights violations.

Third, efforts to impose one set of values and preferences on the rest undermines the cooperative and universal nature of the international human rights architecture. It undercuts respect for cultural diversity and is akin to holding social traditions of majority of UN member states in contempt. Any legal aspects of private sexual preferences should rest on respective cultural traditions and at best, be treated a domestic issue

Fourth, the work of this Council's mechanisms must accord respect to respective national laws in conformity with universally recognized international human rights. Terming national laws on consensual sexual activity as a barrier to the right of health is an imaginative stretch.

Finally, we reiterate our position that the conversations on access to right to health can be best advanced by relying on internationally agreed principles and concepts.

We would like the SR to continue to focus on intersection of violence and the right to health and in this regard, accord priority to mass violations of the right to health under humanitarian conditions and situations of foreign occupation. **I thank you.**