

A few issues with the Yogyakarta Principles

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1. The approval of the Yogyakarta Principles as human rights law would have devastating effects on society.
2. The Yogyakarta Principles were created by a self-assigned group of expert with the intention to lobby LGBTI (Lesbian/Gay/Bisexual/Transgender/Intersex) issues.
3. They are not at all balanced and are **twisting existing human rights into rights that would create privileges in the grounds of diverse sexual orientations and gender identities for LGBTI persons.**
4. With the application of the Yogyakarta Principles other human rights would be in second rank compared to those rights of LGBTI persons, and be limited (e.g. freedom of speech, freedom of religion, freedom of expression).
5. LGBTI persons would be granted privileges by the state. There would be a need for continuous re-evaluation of these rights in order to advance them for the LGBTI community.
6. The traditional family (father, mother, children) would no longer be referenced by law.
7. All persons would be obliged to educate children in such a way, that the LGBTI way of living would be presented as an equally valuable alternative life style compared to a heterosexual partnership.

A few examples referring to the original text of the Yogyakarta Principles (in blue)

Principle 3, Recommendation d)

States shall ...

d) Take appropriate measures to secure adequate advancement of persons of diverse sexual orientations and gender identities as may be necessary to ensure such groups or individuals equal enjoyment or exercise of human rights. **Such measures shall not be deemed to be discriminatory;**

Whenever it comes to „Sexual Orientations“ or „Gender Identities“, these persons are protected from allegations of to anti-discrimination. This seems to be strange and without reason to grant this privilege to LGBTI persons, whilst distorting a principle of human rights.

It would be against the principle of equality before the law.

Principle 6, Right to Privacy:

The right to privacy ordinarily includes the choice to disclose or not to disclose information relating to one’s sexual orientation or gender identity, as well as decisions and choices regarding both one’s own body and consensual sexual and other relations with others.

If it is not clear which sex a person has, it is for instance also not clear whether this person needs to go to military service or not. Imagine a society where no-one knows who is a man and who is a woman.

One could also imagine, that persons temporarily would change their gender to avoid military or alternative service.

Principle 9, Point b) – The right to treatment with humanity while in detention

States shall ...

b) Provide adequate access to medical care and counselling appropriate to the needs of those in custody, recognising any particular needs of persons on the basis

of their sexual orientation or gender identity, including with regard to reproductive health, access to HIV/AIDS information and therapy and **access to hormonal or other therapy as well as to gender-reassignment treatments where desired;**

This would mean that the state would need to carry all or a significant cost for the change of gender, if a person wishes to change his or her gender/sex.

Principle 14, ... continuous improvement of living conditions ...

It is unclear how anybody could guarantee such a right in times of economic uncertainty. Continuous improvement of living conditions as human right is unheard of as human right.

Principle 15, Point d) Right to adequate housing

States shall ...

d) Establish social programmes, including support programmes, to address factors relating to sexual orientation and gender identity that increase vulnerability to homelessness, especially for children and young people, including social exclusion, domestic and other forms of violence, discrimination, lack of financial independence, and rejection by families or cultural communities, as well as to promote schemes of neighbourhood support and security;

This Principle would cause betterment of LGBTI Persons. Why would this not be applicable to everybody?

Principle 16 b) Right to Education

Everyone has the right to education, without discrimination on the basis of, and taking into account, their sexual orientation and gender identity.

This point is not about the right to education, but to request specific LGBTI content to be mandatory in the educational system.

This Principle is in conflict with freedom of religion and the right of parents to educate their children according to their values.

Principle 18 Points a) and d) – Protection from medical abuses.

States shall ...

a) Take all necessary legislative, administrative and other measures to ensure full protection against harmful medical practices based on sexual orientation or gender identity, including on the basis of stereotypes, whether derived from culture or otherwise, regarding conduct, physical appearance or perceived gender norms;

d) Ensure protection of persons of diverse sexual orientations and gender identities against unethical or involuntary medical procedures or research, including in relation to vaccines, treatments or microbicides for HIV/AIDS or other diseases;

In this principle again betterment is given on the grounds of „sexual orientation“ and „gender identity“. Why can't this principle be not applied for everybody?

Principle 19, Point d) – Right to Freedom of Opinion and Expression

States shall ...

d) Ensure that notions of public order, public morality, public health and public security are not employed to restrict, in a discriminatory manner, any exercise of

freedom of opinion and expression that affirms diverse sexual orientations or gender identities;

This clause would have devastating effects on the freedom of opinion and expression. If the particular interests of the LGBT rights movement supersede concerns of public order and morality, any other pressure group may legitimately make the same claims. The notions of public order and public morality would therefore be completely undermined by this clause.

Instead of ensuring the right of freedom of speech and expression, it is enhanced for one group, but restricted for the rest of society.

Principle 20 - The right to freedom and peaceful assembly and association

It should be noted that, associations, assemblies and demonstrations promoting the LGBT lifestyle would be the only ones not being subject to any restriction of public order and morality; it would give them unlimited freedom to insult or provoke persons not sharing their views or opposing the promotion of their agenda.

This kind of privilege is completely unacceptable in a democratic society; to accept it would mean to give up democracy in exchange for the LGBT agenda.

One is astonished to see such a proposal coming from a 'distinguished group of human rights experts'.

Principle 21 – The right to freedom of thought, conscience and religion

Everyone has the right to freedom of thought, conscience and religion, regardless of sexual orientation or gender identity. **These rights may not be invoked** by the State to justify laws, policies or practices which deny equal protection of the law, or discriminate, on the basis of sexual orientation or gender identity.

„... these rights may not be invoked ...“

Instead of granting Freedom of thought, conscience and religion, these rights may not be invoked when it comes to sexual orientation and gender identity.

This is a substantial undermining of human rights as we know them today.

Principle 24: The right to found a family

Everyone has the right to found a family, regardless of sexual orientation or gender identity. **Families exist in diverse forms.** No family may be subjected to discrimination on the basis of the sexual orientation or gender identity of any of its members.

This principle abolishes the definition of family as being father, mother and child. The sentence: Families exist in diverse forms, allows any artificial construct of family. You could imagine more than 2 parents, not only human children, but also pets and so on. This definition would allow freedom to even allow an enterprise to be a family member.

Point b) states:

States shall ...

b) recognise the **diversity of family forms, including those not defined by**

descent or marriage.

The authors stay vague. You could imagine a family consisting of 3 grown-ups in a „marriage“, one (adopted) child and two dogs. Moving in these directions could be achieved in steps. Therefore the authors of the Yogyakarta Principles request a continuous revisiting of these principles and to adjust legislation accordingly.

Principle 26: The right to participate in cultural life

Everyone has the right to participate freely in cultural life, regardless of sexual orientation or gender identity, and to express, through cultural participation, the diversity of sexual orientation and gender identity.

It seems to be purpose of this principle to publicly demonstrate different forms of sexual orientation as culture.

Principle 27: The Right to promote human rights

States shall

b)Take all appropriate measures to combat actions or campaigns targeting human rights defenders working on issues of sexual orientation and gender identity, as well as those targeting human rights defenders of diverse sexual orientations and gender identities;

Persons working for enhancement of the Yogyakarta Principles are named „Human Rights Defenders“. They shall receive special protection, when they promote their vision of sexual life in society. Should there be anyone be against them promoting this life style or against this life style itself, on the grounds of other human rights, this would not be possible and the state would have to take „appropriate measures“. This moves to a truly totalitarian society.

In this article and in its requests to states a privileged status for Persons with diverse sexual orientations and gender identities (i.e. LGBTI Persons) is requested.

The Yogyakarta Principles request to create inequality before the law and human rights.

Consequently the rights the authors of the Yogyakarta Principles promote are no human rights but slogans of a pressure group.