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DAY 2 HIGHLIGHTS: Yogyakarta Principles

March 13, 2009 – Yesterday, LGBT leaders from across the globe once again packed UCLA School of Law for day two of *The Global Arc of Justice Conference*. The main topic of the day focused on implementing the **Yogyakarta (jōg-yə-‘kär-tə) Principles**. Named after the city in Indonesia in which they were drafted, the Yogyakarta Principles explain how existing international human rights laws apply to LGBT people and discrimination on the basis of sexual orientation and gender identity and expression. The Principles include rights ranging from the right to be free from employment discrimination and laws criminalizing sexual behavior; to state recognition of parenting and couples rights; to affirmative rights for adequate standard of living, healthcare, education, housing and participation in public life.

Signatories of the Yogyakarta Principles attending the Global Arc of Justice Conference include **Mauro Cabral** (Argentina), **Sonia Corrêa** (Brazil), **Alice Miller** (USA) and **Robert Wintemute** (Canada and the UK).

The second day of the conference concluded with members of a working group addressing the Yogyakarta Principles, presented by a panel of experts such as **Julie Dorf**, **Boris Dittrich**, **Andrew Park**, Williams Institute Executive Director **Brad Sears** and International Lesbian and Gay Law Association (ILGLaw) President **David B. Cruz**. The working group of over 40 experts from around the world explored how the Principles have been used successfully, including in statements affirming LGBT rights by the UN General Assembly and the Organization of American States; in a recent case before the Supreme Court of Nepal protecting gay and transgender people from discrimination; in a successful effort to establish LGBT people’s right to be school teachers in Guyana; and to lobby government officials in Japan. The working group also discussed how the Principles could be further implemented by lawyers, scholars, judges and legislators to advance LGBT rights.

“By making clear how international human rights protect lesbian, gay, bisexual, transgender, and intersex people, the Yogyakarta Principles are already having a dramatic impact just a couple years after being announced,” explained **Cruz**. “Participants in The Global Arc of Justice Conference and the Yogyakarta Principles working group have used the principles to win victories before courts and in the court of public opinion in their home countries. ILGLaw and the Williams Institute are honored to bring together so many people who helped draft the Yogyakarta Principles or who are using them to improve the everyday lives of LGBT people around the world,” he added.

Tomorrow, the conference will conclude with a special luncheon and awards ceremony and a plenary on California marriage. Visit the [conference website](#) for more details and also for highlights of [Wednesday’s kick-off plenary event](#).



The full text of the “Yogyakarta Principles on the Application of International Human Rights Law in Relation to Sexual Orientation and Gender Identity” in six different languages is available at: <http://yogyakartaprinciples.org/>

Watch a video about the launching of the [Yogyakarta Principles in Brazil](#).

Watch a video about the [Yogyakarta Principles in Manila, Philippines](#).

FAQs

Q. What are the Yogyakarta Principles?

The Yogyakarta Principles are a set of principles on the application of international human rights law in relation to sexual orientation and gender identity. The Principles affirm binding international legal standards with which all States must comply. They promise a different future where all people born free and equal in dignity and rights can fulfill that precious birthright.

Q. Why are they needed?

Human rights violations targeted toward persons because of their actual or perceived sexual orientation or gender identity constitute an entrenched global pattern of serious concern. They include extra-judicial killings, torture and ill-treatment, sexual assault and rape, invasions of privacy, arbitrary detention, denial of employment and education opportunities, and serious discrimination in relation to the enjoyment of other human rights.

Key human rights mechanisms of the United Nations have affirmed States’ obligation to ensure effective protection of all persons from discrimination based on sexual orientation or gender identity. However, the international response has been fragmented and inconsistent, creating the need for a consistent understanding of the comprehensive regime of international human rights law and its application to issues of sexual orientation and gender identity. The Yogyakarta Principles do this.

Q. How did the Principles come about?

The Principles were developed and unanimously adopted by a distinguished group of human rights experts, from diverse regions and backgrounds, including judges, academics, a former UN High Commissioner for Human Rights, UN Special Procedures, members of treaty bodies, NGOs and others. The Rapporteur of the process, Professor Michael O’Flaherty, has made immense contributions to the drafting and revision of the Yogyakarta Principles.

A key event in the development of the Principles was an international seminar of many of these legal experts that took place in Yogyakarta, Indonesia at Gadjah Mada University from 6 to 9 November 2006. That seminar clarified the nature, scope and implementation of States’ human rights obligations in relation to sexual orientation and gender identity under existing human rights treaties and law.

Q. What do they cover?

The Yogyakarta Principles address the broad range of human rights standards and their application to issues of sexual orientation and gender identity. These include

- The Right to Privacy
- The Rights to Equality and Non-Discrimination
- The Right to Found a Family
- The Right to Be Free From Violence
- Freedom From Arbitrary Detention, Torture, and Cruel or Inhumane Punishment
- The Right to Treatment with Humanity While In Detention
- The Rights to Seek Asylum, to Travel Between Countries, and to Immigrate
- Freedom of Thought, Expression, Assembly, Association, and Religion
- The Rights to Health, Housing, Education, Work, and an Adequate Standard of Living
- The Rights to Participate in Public and Cultural Life
- The Right to Universal Enjoyment of Human Rights and Advocate for Those Rights

Q. How can these rights be implemented?

The Principles affirm the primary obligation of States to implement human rights. Each Principle is accompanied by detailed recommendations to States. The Principles also emphasize, that all actors have responsibilities to promote and protect human rights. Additional recommendations are therefore addressed to the UN human rights system, national human rights institutions, the media, non-governmental organizations, and others.