

**Questions for the Record Submitted to
Ambassador - Designate Eileen Donahoe by
Senator Russell Feingold
Senate Foreign Relations Committee
December 1, 2009**

Question:

President Obama and Secretary Clinton announced support in March for a UN General Assembly statement on human rights, sexual orientation, and gender identity, which calls for the decriminalization of consensual homosexual conduct and the promotion of fundamental rights for lesbian, gay, bisexual, and transgender (LGBT) individuals. The struggle to implement that statement is largely playing out in the UN Human Rights Council, where countries are questioned about the treatment of their LGBT citizens during the Universal Periodic Review (UPR) process. As our representative, will you join other UNHRC members in addressing LGBT concerns within the Council? If confirmed, how would you build support within the Council to address these sensitive issues?

Answer:

As Secretary Clinton said earlier this week in an event commemorating World AIDS Day, we are committed to standing firmly against efforts or actions anywhere that would marginalize, penalize, or criminalize people for reasons of sexual orientation, which we view as an unacceptable step backwards with respect to basic equality and human rights.

While the United States has a long record of advocacy on behalf of human rights internationally at international forums, adequate attention to ending criminalization against LGBT individuals on the basis of their sexual orientation and gender identity has only recently been gaining the momentum it deserves.

At the Human Rights Council, we will continue to play a leadership role and to collaborate with other member states to reinforce universal human rights. For example, the United States vocally criticized and voted against the Russian-sponsored “Traditional Values” resolution at the September 2009 session of the Human Rights Council because it contained text that could be interpreted to support the imposition by states of repressive laws and policies against the LGBT community and other vulnerable groups, particularly those criminalizing homosexuality.

Additionally, the United States was one of the member states that co-sponsored the June 2009 HRC panel discussion on “Human Rights, Sexual Orientation, and Gender Identity,” organized by ARC International.

Unfortunately, there are numerous countries that continue to criminalize consensual homosexual conduct. We monitor and report on the issue and on the human rights situation of LGBT individuals as part of our annual “Country Reports on Human Rights Practices,” which are made available to governments and which are important aspects of our engagement with them.

