

NGO Oral Statement on UPR intervention for Brazil

Joint statement from the International Lesbian and Gay Association (ILGA), Sexual Rights Initiative and Brazilian Association of Lesbians, Gays, Bisexual and Trans persons. Delivered by Patricia Curzi on Thursday 20 September 2012.

Madam President,

We welcome the Brazilian government response to the recommendation made by The Holy See requesting the protection of the natural family as being "a better environment to raise children". This calls attention to the premises already inscribed in the Federal Constitution in that regard, and underlines that Brazilian institutions already recognize other family arrangements as also being eligible for protection, such as women raising children alone and same sex couples as family units. However, it is important to note that - although the Federal Supreme Court has recognized the legitimacy of same sex civil unions – since no legislation recognizes the right of same-sex couples to marry and form a family on an equal footing, in this particular domain the constitutional principle of equality is being violated.

We also welcome the acceptance of the recommendation made by Finland that Brazil must take measures to address homo- and trans-phobic crimes, including by establishing a system for recording such crimes. We urge the Brazilian government to observe and fulfill this commitment as soon as possible, taking the necessary measures to overcome impunity that prevails in relation to this type of crime. A recent survey made by activist networks informs that at least 85 murders of transgender people have occurred between January and August 2012, which have not always been subject to proper investigation.

Regarding the recommendation made by Namibia to continue implementing religious teaching programs in public schools, we strongly support the Brazilian government in its reaffirmation of the secular principles of the Brazilian State. The national legislation provides for religious education as an optional enrollment, but this definition does imply compulsory confessional or inter-confessional teaching of any Faith. Furthermore existing legislation forbids all forms of proselytism.

Thank you.