Espen Barth Eide

Norway’s Minister of Foreign Affairs

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CC:

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# Halvor Sætre, Director for Human Rights and Democracy at Norwegian Ministry of Foreign Affairs. E-mail: Halvor.Saetre@mfa.no

Oslo, 12 September 2013

Dear Espen Barth Eide,

The Norwegian Helsinki Committee and other members of the Civic Solidarity Platform urge you to ensure that Norway use whatever influence it might have during the UN Human Rights Council (HRC) 24th Session (9-27 September 2013) to oppose the “traditional values” agenda in categorical terms.

We find that this agenda attempts to undermine the universality of fundamental human rights, including the right to freedom of expression and information, as well as for the international human rights system more generally. Moreover, we see it as part of a global trend to qualify human rights protections and restrict the civic space for the expression of dissent, in particular for minority, vulnerable, and disenfranchised people.

We further urge Norway to indicate that it will not support any further resolutions promoting the concept of “traditional values”.

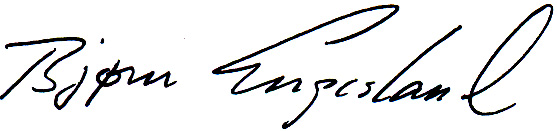
As you know, at the 24th Session of the HRC, the Office of the High Commissioner for Human Rights (OHCHR) will present its report of collated “best practices” in the application of so-called “traditional values”. The resolution calling for the OHCHR report was sharply criticised for pre-empting the Advisory Committee’s own study, which contains a more thorough analysis of concerns with this concept. Nevertheless, the OHCHR report demonstrates that “traditional values” is deeply divisive, both in terms of the legitimacy of the concept itself, and in terms of its suitability as a vehicle for bridging different understandings on how best to implement international human rights protections.

We call on Norway to voice its opposition to “traditional values” during the debate at the HRC following the presentation of the OHCHR report on 13 September and in other suitable forums, for the following reasons:

* The HRC is mandated to “promote universal respect for the protection of all human rights and fundamental freedoms for all, without distinction of any kind and in a fair and equal manner.” The “traditional values” agenda represents a significant departure from this mandate, and works against the advances made in human rights protection at the international level since the Vienna Declaration and Programme of Action (VDPA), which celebrates its 20th anniversary this year.
* There is no agreed definition of “traditional values” and successive HRC resolutions have failed to define the term. We find that the concept is inherently subjective, scarcely referenced in international human rights law, and fosters an ambiguity that undermines the clarity of international human rights protection. No compelling case has been made for amending existing human rights protections, which already constitute an authoritative statement on the shared values of all humanity.
* While some “traditional values” and practices may be compatible with international human rights protections and employed positively, this is not always the case. We are concerned than none of the HRC resolutions acknowledge that “traditional values” and practices have often been abused by States to legitimise discrimination, silence dissent, and justify human rights violations. Such violations directly contradict States’ obligation to, as the Advisory Committee to the HRC has put it, take “sustained and systemic action to modify or eliminate stereotypes and negative, harmful and discriminatory practices justified by traditional values”. This obligation is also reflected in the VDPA and the Convention to Elimination All Forms of Discrimination against Women (CEDAW).
* We are concerned that the “traditional values” agenda attempts to give legitimacy to the exclusion of minority and disfranchised groups in society for the sake of promoting majoritarian, conservative and mono-cultural conceptions of what human rights are. In particular:
  + Russia, Moldova, and Ukraine are among countries where bans on so-called “propaganda” of “non-traditional sexual relationships” have been adopted or proposed, supposedly to protect “traditional values” and the rights of children. These laws stigmatise and legitimise violence against lesbian, gay, bisexual, and transgender people, and deprive them of information essential to a full education and for access to health care, including HIV treatment. The Human Rights Committee, in the case of *Fedotova v. Russia* (2012), found that such laws violate the right to freedom of expression and the guarantee against discrimination, as protected by Articles 19 and 26 of the International Covenant on Civil and Political Rights.
  + “Traditional” systems of patriarchy around the world continue to make women economically dependent, and frequently deny them equal rights to political participation and freedom of expression. Such “traditions” also justify violence, harassment and other rights violations, including against women as human rights defenders and property owners, and in terms of access to healthcare and education. Again, both the VDPA and CEDAW place a legal obligation on States to modify or eliminate such practices.
  + The rights of persons of national, ethnic, religious or linguistic minorities and indigenous peoples to protect and promote their cultural identities are already protected by international human rights framework, yet these rights are frequently denied. Priority must be given to implementing these rights and addressing violations in accordance with the UN Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities (1992) and the UN Declaration on the Rights of Indigenous Peoples (2007); the “traditional values” agenda threatens to undermine the clarity and progress achieved by these instruments.

We hope that Norway can take a leading role in bringing the HRC back to its task of effectively promoting and protecting human rights, in particular the rights to freedom of expression and information for marginalised groups, and resisting initiatives that seek to distract from that task by undermining the universality of those protections.

Yours Sincerely,

Bjørn Engesland Gunnar M. Ekeløve-Slydal

Secretary General Deputy Secretary General

Solidarity Platform members supporting this letter:

* ARTICLE 19 (International), which have taken a leading role on this issue. More on its website: <http://www.article19.org/resources.php/resource/37236/en/human-rights-council:-states-must-reject-%E2%80%98traditional-values%E2%80%99>
* Analytical Center for Interethnic Cooperation and Consultations (Georgia)
* Belarusian Human Rights House (Belarus)
* Center for National and International Studies (Azerbaijan)
* Center for the Development of Democracy and Human Rights (Russia)
* Centre for Civil Liberties (Ukraine)
* Georgian Young Lawyers' Association (Georgia)
* Human Rights Monitoring Institute (Lithuania)
* Helsinki Citizens' Assembly (Armenia)
* Helsinki Committee for Human Rights, Serbia (Serbia)
* Human Rights House Foundation (International)
* International Partnership for Human Rights (International)
* Institute for Reporters' Freedom and Safety (Azerbaijan)
* Kharkiv Regional Foundation Public Alternative (Ukraine)
* Moscow Helsinki Group (Russia)
* Norwegian Helsinki Group (Norway)
* Nota Bene (Tajikistan)
* Promo-LEX Association (Moldova)
* Public Verdict Foundation (Russia)