



**Economic and Social
Council**

Distr.
GENERAL

E/CN.4/2004/NGO/259
24 March 2004

ENGLISH ONLY

COMMISSION ON HUMAN RIGHTS
Sixtieth session
Item 17 of the agenda

PROMOTION AND PROTECTION OF HUMAN RIGHTS

**Written statement* submitted by the American Psychological Association, a non-
governmental in special consultative status**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[16 March 2004]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

Human Rights and Sexual Orientation

The American Psychological Association (APA) writes to encourage the United Nations Commission on Human Rights (UNCHR) to establish that human rights violations on the basis of sexual orientation are legitimate concerns for all states and international bodies concerned with human rights. It is our understanding that during its 60th Session, the UNCHR will consider a resolution on Human Rights and Sexual Orientation that will be introduced by the Brazilian delegation. We urge the members of the Commission to vote in favor of the resolution that expresses concern about human rights violations on the basis of sexual orientation, asserts that sexual orientation should not be the basis for impediments to the full enjoyment of human rights and freedoms, and calls upon states, the UNCHR, and the High Commissioner for Human Rights to affirmatively address human rights violations on the basis of sexual orientation.

APA has had a long-standing and active concern to remove the stigma of mental illness that has been associated with same-sex sexual orientation and to oppose prejudice, discrimination, and violence against lesbian, gay, and bisexual people and others who desire or engage in same-sex relationships. Both psychological research and professional judgment indicate that there is no justification for denying same-sex oriented men and women their human rights and freedoms. Nevertheless, it is incontrovertible that lesbian, gay, and bisexual people suffer many impediments to the full enjoyment of the human rights and freedoms set forth in the Universal Declaration of Human Rights.

Decades of research and clinical experience have led all mainstream mental health organizations in the United States to the conclusion that homosexuality is a normal form of human sexuality. Homosexuality—defined as a pattern of erotic, affectional, and romantic attraction principally to members of one's own sex—has consistently been found in a substantial portion of the American adult population. Typically, an individual's sexual orientation appears to emerge between middle childhood and early adolescence. Most or many gay men and lesbians (men and women who identify themselves as homosexual) consistently report that they experience either no or little choice in their sexual attraction to persons of their own sex. Research has also found no inherent association between homosexuality and psychopathology. All of this evidence has led mental health professional organizations to conclude that homosexuality is simply one normal variant of sexual identity. These organizations long ago abandoned classifications of homosexuality as a disorder and do not support therapies designed to change sexual orientation. Moreover, there is no reliable scientific evidence of the effectiveness of such therapies.

Sexual intimacy is a core aspect of human experience and is important to mental health, psychological well-being, and social adjustment. There is no sound basis in social science for attempts by states to deny gay men and lesbians the opportunity to participate in this basic constituent of human happiness. Like heterosexuals, many gay men and lesbians desire to form long lasting and committed relationships and succeed in doing so. These relationships manifest the same kinds of psychological dynamics as do heterosexual relationships, and sexual intimacy plays an important role in both kinds of partnerships. These committed relationships, in turn, form the core of healthy family units. Many gay men and lesbians are raising children. No evidence suggests that these children will suffer any pathology as a result.

The heretofore lack of action regarding sexual orientation and human rights by the UNCHR reinforces prejudice, discrimination, and violence against gay men and lesbians. Gay people encounter real and substantial manifestations of prejudice in the United States and in other countries, including harassment and violence, because of their sexual orientation. Although many gay men and lesbians learn to cope with the social stigma against homosexuality, this pattern of prejudice can cause gay people serious psychological distress, especially if they attempt to conceal or deny their sexual orientation. By not acting, the UNCHR sustains prejudice by discouraging gay men and lesbians from disclosing their true identities to their acquaintances. Studies of interpersonal prejudice, including prejudice against homosexuals, consistently show that prejudice is reduced when members of the majority group have knowing contact with minority group members. But if gay men and lesbians are compelled to conceal their sexual orientation, heterosexual people are denied the opportunity to have personal contact with openly gay people and to perceive them as individuals. The lack of human rights protections for sexual orientation also discourages gay men and lesbians from seeking legal protection, especially in cases of anti-gay violence, because doing so would require them to disclose their sexual orientation.

For these reasons, the APA strongly urges the UNCHR to adopt the resolution on Human Rights and Sexual Orientation and to take other actions that will make a positive contribution to the human rights, health, and well-being of lesbian, gay, and bisexual people and others who desire or engage in same-sex relationships.
