
The International Lesbian, Gay, Bisexual, Trans and Intersex Association – ILGA World and the International Service for Human Rights (ISHR) have compiled a series of factsheets highlighting the work that UN special procedures – independent human rights experts, appointed to monitor and report on human rights violations – have undertaken to defend the human rights of lesbian, gay, bisexual, trans and intersex (LGBTI) persons. The factsheets compile the references and recommendations made by these experts to LGBTI persons, sexual orientation, gender identity, gender expression, and sex characteristics (SOGIESC). They cover all thematic reports, country visit reports, and communications published between January 2011 and November 2019.



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INDEPENDENT EXPERT ON PROTECTION AGAINST VIOLENCE AND DISCRIMINATION BASED ON SEXUAL ORIENTATION AND GENDER IDENTITY

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WEBSITE

WORK SUMMARY

COUNTRIES VISITED

- **Ukraine** – (April/May 2019): Report | Press Release | Statement
- **Mozambique** – (December 2018): Report | Press Release | Statement
- **Georgia** – (September/October 2018): Report | Press Release | Statement
- **Argentina** – (March 2017): Report | Press Release | Statement

ANNUAL THEMATIC REPORTS

Socio-cultural and economic inclusion July 2019 (74th Session General Assembly (GA))

Examines how discriminatory laws and sociocultural norms continue to marginalize and exclude LGBT and gender-diverse persons from education, health care, housing, employment and occupation, and other sectors. Looks at the inclusion and access to these rights through the lens of intersectionality and analyses compounded discrimination, which leads to exclusion and marginalization. Discusses the ways in which an inclusive society and effective State measures enable people to enjoy protection from violence and discrimination and highlights the unique role of leaders in different fields, all of which will allow the cycle of exclusion to be broken and have a positive impact on the misconceptions, fears and prejudices that fuel violence and discrimination.

Data collection and management as a means to create heightened awareness of violence and discrimination based on sexual orientation and gender identity
May 2019 (41st Session
Human Rights Council
(HRC))

Focuses on data collection and management as a means to create heightened awareness of violence and discrimination based on SOGI, identifies risks associated with data collection, use and storage, and highlights key human rights safeguards in that regard.

Violence and discrimination based on gender identity
July 2018 (73rd Session
GA)

Examines the process of abandoning the classification of certain forms of gender as a pathology and the full scope of the duty of the State to respect and promote respect of gender recognition as a component of identity. Also highlights some effective measures to ensure respect of gender identity and provides guidance to States on how to address violence and discrimination based on gender identity.

Violence and discrimination based on sexual orientation, and their root causes
June 2018 (38th Session
HRC)

Provides an overview of violence and discrimination based on SOGI. These acts extend from daily exclusion and discrimination to the most heinous acts, including torture and arbitrary killings. At their root lie the intent to punish the non-conformity of victims with preconceived notions of what should be their SOGI. Highlights how LGBT and gender non-conforming persons are affected differently by these acts and how intersecting factors have an impact on their vulnerability and on their risk of exclusion and marginalization. Examines the link between hate speech and hate crimes, and the role of the media in amplifying and disseminating messages that reinforce stigma and foster violence and discrimination. Also explores the root causes of violence and discrimination based on SOGI, including deeply entrenched stigma and prejudice reinforced by discriminatory laws and regulations that foster a climate where hate speech, violence and discrimination are condoned and perpetrated with impunity. Examines the impact of social prejudice and criminalization on the marginalization and exclusion of LGBT and gender non-conforming persons, and addresses the issue of the negation of violence and discrimination based on SOGI and the resulting data gap, highlighting positive examples of data-gathering and recent measures taken by States to address violence and discrimination based on SOGI, including steps to acknowledge responsibility as an essential element in the establishment of historical truth, the process of reparation and the reconstitution of the social fabric.

Embrace diversity and energize humanity
July 2017 (72nd Session
GA)

Two of the various underpinnings introduced in the Independent Expert's first report (A/HRC/35/36) are singled out for particular attention to help prevent and overcome violence and discrimination: namely, decriminalization of consensual same-sex relations and gender identity and expression, and effective anti-discrimination measures. The report includes an overview of country situations, as highlighted by various actors through submissions sent to the Independent Expert. The report calls for reform of the laws, policies and practices which criminalize consensual same-sex relations, as well as those relating to gender identity and its expression. Pending repeal of discriminatory laws, the preferred policy is to desist from applying such negative laws and policies. Effective anti-discrimination measures are also critically needed; they vary from laws to policies and other action in a comprehensive and human rights-responsive setting.

Diversity in humanity, humanity in diversity
June 2017 (35th Session
HRC)

Offers a window through which to gauge the approach and methodology of the Independent Expert. There are key reflections responding to the mandate, particularly regarding the panorama of the situation, including the implementation of international instruments, with identification of good practices and gaps; awareness of the violence and

discrimination issue, and linkage with root causes; dialogue, consultation and cooperation with States and other stakeholders; the identification of multiple, intersecting and aggravated forms of violence and discrimination; and support for international cooperation and related services to assist national efforts.

Various underpinnings are singled out for specific attention to help prevent and overcome negative elements fuelling violence and discrimination, and these will be dealt with in greater detail in future reports: namely, decriminalization of consensual same-sex relations; effective anti-discrimination measures; legal recognition of gender identity; destigmatization linked with depathologization; sociocultural inclusion; and promotion of education and empathy.

The report is anchored on the belief that while the diversity among human beings on the basis of SOGI should be recognized (“diversity in humanity”), it is essential to harness and reinforce, from a young age, mutual respect, tolerance and understanding, compliance with human rights, and a sense of humanity and inclusivity inherent in that diversity (“humanity in diversity”), to accord protection for all and to all.

COMMUNICATIONS

COUNTRY/DATE	EXPERTS	SITUATION
Kazakhstan 22 July 2019	Independence of judges and lawyers Privacy SOGI Violence against women Women in law and in practice	Information received concerning acts of harassment and discrimination directed towards a young lesbian couple and the unauthorized filming and posting of a video in social media, affecting their right to privacy.
Georgia 20 June 2019	Freedom of opinion and expression Freedom of assembly and association Human Rights defenders SOGI	Information received concerning possible restrictions to the right to peaceful assembly, freedom of association and to the freedom of expression of the LGBT community following threats and acts of intimidation against organizers and participants to the Tbilisi Pride.
Lebanon 10 May 2019	Freedom of opinion and expression Human Rights defenders SOGI	Information received concerning allegations that the Ministry of Telecommunications has issued an order to block public networks from accessing an online dating application called Grindr, which is most commonly used by gay individuals, and information concerning interferences by Lebanese General Security Forces in human rights events related to SOGI in Lebanon.
Malaysia 10 May 2019	Freedom of opinion and expression Freedom of assembly and association Human rights defenders SOGI Women in law and in practice	Information received concerning investigations into the organisers of a women’s day march in Kuala Lumpur under the Sedition Act, and the summoning of LGBT+ human rights defender Mr. Numan Afifi.
Mauritius 3 May 2019	Human rights defenders SOGI Violence against women	Information received concerning the physical and verbal assault of members of the LGBT community and of two LGBT human rights defenders associated with the Collectif Arc-En-Ciel, including Ms. Sandrine Julien.

<p>Armenia 18 April 2019</p>	<p>Extrajudicial executions Freedom of opinion and expression Human rights defenders SOGI Violence against women</p>	<p>Information received concerning online harassment and hate speech against woman human rights defender Ms. Lara Aharonian and trans human rights defender Ms. Lilit Martirosyan.</p>
<p>Brunei Darussalam 1 April 2019</p>	<p>Extrajudicial executions Freedom of religion SOGI Torture Violence against women Women in law and in practice</p>	<p>Information received concerning the criminalisation of adultery and consensual same-sex relations and the imposition of cruel, inhuman and degrading punishments for such acts, including stoning, whipping and amputation.</p>
<p>Guatemala 22 March 2019</p>	<p>Food Housing International solidarity Migrants Racism Sale of children SOGI Trafficking in persons</p>	<p>Information received in relation to the situation of migrants, including LGBTI people, in caravans, heading for Mexico and the United States of America, and in particular with reference to a violent and xenophobic incident against migrants in Tecún Umán, as well as the need for the government to take active measures to protect the human rights of all migrants.</p>
<p>Egypt 20 March 2019</p>	<p>Arbitrary detention Freedom of opinion and expression Freedom of assembly and association Human rights defenders SOGI Torture Violence against women Women in law and in practice</p>	<p>Information received concerning the alleged arbitrary arrest and detention of transgender woman and LGBTIQ human rights defender, Ms. Malak Al-Kashif.</p>
<p>Tunisia 28 February 2019</p>	<p>Freedom of opinion and expression Freedom of assembly and association Human Rights defenders SOGI</p>	<p>Information received concerning attempts to obstruct the exercise of freedom of association by the Shams association.</p>
<p>Indonesia 13 February 2019</p>	<p>Health Privacy SOGI</p>	<p>Information received concerning discriminatory policy proposals and actions by local government officials in West Java province against LGBT people.</p>
<p>Russian Federation 11 February 2019</p>	<p>Arbitrary detention Extrajudicial executions Freedom of opinion and expression SOGI Torture Violence against women Women in law and in practice</p>	<p>Information received in connection with allegations of new acts of persecution against people who are or are perceived to be gay, bisexual or lesbian in Chechnya.</p>
<p>Honduras 9 January 2019</p>	<p>Freedom of opinion and expression Human rights defenders SOGI Violence against women Women in law and in practice</p>	<p>Information received in relation to threats directed against the human rights defender, Ms. Indyra Mendoza.</p>
<p>Tunisia 7 February 2019</p>	<p>Extrajudicial executions Freedom of opinion and expression Freedom of assembly and association Human Rights defenders SOGI</p>	<p>Information received concerning obstacles to the registration of Shams, as well as harassment and threats against members of this organization.</p>

<p>Brazil 31 December 2018</p>	<p>African descent Extrajudicial executions Foreign debt Freedom of opinion and expression Freedom of assembly and association Human rights defenders Poverty Racism SOGI Violence against women Women in law and in practice</p>	<p>Follow-up to the communication on the murders of Ms. Marielle Franco and her driver.</p>
<p>Canada 19 December 2018</p>	<p>Cultural Rights Disability Education Freedom of opinion and expression Health SOGI Violence against women Women in law and in practice</p>	<p>Information received concerning changes to the sexuality education curriculum of the Province of Ontario. The Ontario Minister of Education announced that the Province's schools would be returning to teaching a sexuality education curriculum first promulgated in 1998, replacing the one adopted in 2015. The Premier of Ontario declared that any teachers who continued teaching the curriculum of 2015 would be sanctioned. The differences between the two curriculum include, in particular: discussion in the curriculum of 2015 of differences among people such as SOGI and the need for acceptance and appreciation of diversity along with further discussion around SOGI in the curriculum for grades 6-8; and the inclusion of the words "gay", "lesbian", "transgender", and "cyberbullying" that are lacking in the 1998 curriculum.</p>
<p>Malaysia 16 November 2018</p>	<p>SOGI Torture Violence against women Women in law and in practice</p>	<p>Information received concerning the criminalization of consensual sexual relations between adults and the application of punishments for such acts that are contrary to the absolute prohibition of torture and other cruel, inhuman or degrading treatment or punishment.</p>
<p>Armenia 13 November 2018</p>	<p>Freedom of opinion and expression Human rights defenders SOGI</p>	<p>Information received concerning homophobic and transphobic hate speech and the violent attacks on nine people, including Robert Karapetyan, Arayik Beybutyan, Rima Sardaryan, Anna Baghramyan, Elvira Meliksetyan, Hayk Hakobyan, and Anush Gabrielyan, amongst them LGBTI human rights defenders.</p>
<p>Kazakhstan 7 November 2018</p>	<p>Freedom of opinion and expression Health Human rights defenders SOGI</p>	<p>Drafting of a discriminatory and stigmatizing by-law prohibiting distribution of LGBT-related content to children.</p>

<p>Honduras 12 October 2018</p>	<p>Extrajudicial executions Human rights defenders SOGI Women in law and in practice</p>	<p>Information received regarding recent cases of attempted murder; harassment, assault and death threats; theft of security cameras; rape and intimidation and persecution of the leader of the trans women's group Las Muñecas de Arcoiris, and members of the Center for Development and LGBTI Cooperation ("Somos CDC").</p>
<p>Romania 4 October 2018</p>	<p>Freedom of opinion and expression Human rights defenders SOGI</p>	<p>Information received concerning the use of force against protestors and the constitutional referendum to change the definition of family, raising concern about the protection for the exercise of fundamental rights in Romania.</p>
<p>Kenya 21 September 2018</p>	<p>Arbitrary detention Health Migrants SOGI Torture Water and sanitation</p>	<p>Information received concerning allegations of acts of violence, harassment and discrimination against lesbian, gay, bisexual and transgender (LGBT) refugees living in Kenya and their arbitrary arrests, detention, and ill-treatment. Allegations received also pertain to the lack of access to food and other basic necessities by the refugees while in detention and in Kakuma camp, as well as to the lack of appropriate access to HIV/AIDS-related prevention and care.</p>
<p>Other actors 21 September 2018</p>	<p>Arbitrary detention Health Migrants SOGI Torture Water and sanitation</p>	<p>Information received concerning allegations of acts of violence, harassment and discrimination against lesbian, gay, bisexual and transgender (LGBT) refugees living in Kenya and their arbitrary arrests, detention, and ill-treatment. Allegations received also pertain to the lack of access to food and other basic necessities by the refugees while in detention and in Kakuma camp, as well as to the lack of appropriate access to HIV/AIDS-related prevention and care.</p>
<p>Turkey 18 September 2018</p>	<p>Counter-terrorism Freedom of opinion and expression Freedom of assembly and association Human rights defenders SOGI</p>	<p>Indefinite ban on public LGBTI-related gatherings or events by governor of Ankara.</p>
<p>Guatemala 31 August 2018</p>	<p>Health SOGI Women in law and practice</p>	<p>Upcoming approval of draft 'Law for the protection of life and family', which would, inter alia, further restrict the concepts of marriage and family and prohibit public and private educational institutions from teaching "gender ideology", sexual diversity, or presenting as normal any sexual behaviour other than heterosexuality.</p>

United States of America 7 August 2018	Human rights defenders SOGI	Allegations of death threats, acts of violence and intimidation, harassment and discrimination against a human rights defender and transgender activist.
United States of America 31 July 2018	Extrajudicial executions SOGI	Allegations that Charles Rhines, a gay man on death row in South Dakota, had been sentenced to death as the result of an anti-gay bias shared by the jurors and inadequate legal assistance offered to him by his counsel.
Tanzania 9 July 2018	Arbitrary detention Extrajudicial executions Freedom of opinion and expression Freedom of assembly and association Human rights defenders SOGI	Allegations of infringements on the right to life, the right to freedom of expression, as well as the rights to freedom of peaceful assembly and of association in Tanzania, indicating a pattern of restrictions to civic space.
Republic of Korea 5 April 2018	SOGI	Attempts by some conservative and religious groups in the Republic of Korea to challenge and weaken the protection from discrimination based on SOGI that exist in the country.
Brazil 22 March 2018	African Descent Executions Extreme poverty Foreign debt Housing Human rights defenders Racism Sexual orientation and gender identity Violence against women Women in law and in practice	Information received concerning the killing of Marielle Franco and her driver.
Honduras 9 March 2018	Extrajudicial executions Freedom of opinion and expression SOGI Torture Violence against women	Recent killing, in Puerto Cortés, of a trans woman, Jennifer Cristal Lopez, and a gay man, Jorge Antonio Rodas Garcia.
Indonesia 12 February 2018	Arbitrary detention Freedom of opinion and expression Human rights defenders Internally displaced persons SOGI Torture	Alleged arbitrary arrests, detention and ill-treatment of twelve waria, or transgender women, in Aceh province.
Egypt 31 October 2017	Arbitrary detention Freedom of opinion and expression Health Human rights defenders Privacy SOGI	Alleged unlawful arrests, detention, and incrimination of persons based on actual or perceived SOGIE, and/or their actual or perceived expression and advocacy for protection of LGBT rights, including HRDs Ahmed Alaa and Sarah Hegazy.
Azerbaijan 9 October 2017	Arbitrary detention Health SOGI Torture	Alleged unlawful arrests and detention, torture and ill-treatment of 83 persons perceived to be gay, transgender persons or persons involved in sex work.

Russian Federation 29 September 2017	Freedom of opinion and expression Human rights defenders SOGI	Alleged administrative proceedings against Evdokia Romanova for “promotion of non-traditional sexual relations to minors through social networks and Internet”.
Haiti 22 September 2017	Arbitrary detention Freedom of opinion and expression Freedom of assembly and association Privacy SOGI	Adoption by the Senate on 28 June 2017 of a draft legislation on reputation and good morals and life certificate, and on 1 August 2017 of a draft legislation on the reinforcement of provisions in the Civil Code relating to marriage and protection of the family.
Russian Federation 31 August 2017	Arbitrary detention Human rights defenders Migrants SOGI Torture	Alleged imminent deportation of Uzbek journalist and gay rights activist, Khudoberdi Turgunaliyevich Nurmatov (also known as Ali Feruz), from Russia to Uzbekistan.
Chile 23 August 2017	Health SOGI	New amendments to the draft law on gender identity, adopted by the Senate on 14 June 2017, which perpetuate the stigmatization and pathologization of transgender people by introducing additional requirements to change one’s legal name and gender, including obtaining a medical certificate, to be of legal age, and to divorce if married.
Republic of Korea 16 August 2017	Arbitrary detention Freedom of opinion and expression SOGI	Information received in connection with the recent cases of arrests interrogations, detentions and prosecutions of soldiers and military personnel perceived to be gay, under the Republic of Korea’s Military Criminal Act.
Honduras 3 August 2017	Extrajudicial executions Freedom of opinion and expression Freedom of assembly and association Human rights defenders SOGI	Alleged homicide attempt against Osmin David Valle Castillo in Tegucigalpa, director of the ‘Somos CDC’ LGBTI program.
Singapore 11 July 2017	Freedom of opinion and expression Freedom of assembly and association Human rights defenders SOGI	Recent amendments adopted to the Public Order Law on 3 April 2017, which could significantly restrict the right to freedom of peaceful assembly in the country, including its significant impact on the organization of the annual ‘Pink Dot’ festival.
Honduras 10 July 2017	Extrajudicial executions Freedom of assembly and association Human rights defenders SOGI Violence against women Women in law and in practice	Recent murder, in the vicinity of the capital, Tegucigalpa, of a transsexual woman, who was also an LGBTI rights activist, Ms. Sherlyn Montoya.

<p>El Salvador 26 May 2017</p>	<p>Extrajudicial executions Freedom of opinion and expression Freedom of assembly and association Human rights defenders SOGI Violence against women Women in law and in practice</p>	<p>Murders of three trans women in San Luis Talpa, as well as allegations of acts of intimidation and threats, including acts of extortion against a human rights defender.</p>
<p>Russian Federation 13 April 2017</p>	<p>Arbitrary detention Extrajudicial executions Freedom of opinion and expression SOGI Torture</p>	<p>Alleged unlawful detentions, torture and extrajudicial killings of men perceived to be gay or bisexual in Chechnya in the past weeks.</p>
<p>Peru 10 April 2017</p>	<p>SOGI</p>	<p>Concern about possible setbacks in relation to Legislative Decree No. 1323, which was approved by the Executive Power in January 2017, by virtue of the powers delegated by Law No. 30506.</p>
<p>Tunisia 24 November 2016</p>	<p>Freedom of opinion and expression Freedom of assembly and association Human rights defenders SOGI</p>	<p>Arbitrary arrest and threats against human rights defenders, Mr. Ahmed Ben Amor, the physical aggression of Mr. Bohdid Belhedi, as well as the ongoing harassment against them, which appears to be solely motivated by their work for human rights in Tunisia.</p>