

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.



©: OHCHR

**SPECIAL RAPPOREUR ON THE
RIGHT OF EVERYONE TO THE
ENJOYMENT OF THE HIGHEST
ATTAINABLE STANDARD OF
PHYSICAL AND MENTAL HEALTH**

Mr. DAINIUS PŪRAS (LITHUANIA)

Since August 2014 (Until June 2020)

FORMER SPECIAL RAPPOREURS:

- Mr. Anand GROVER (India),
2008 – 2014
- Mr. Paul HUNT (New Zealand),
2002 – 2008



EMAIL



WEBSITE

WORK SUMMARY

COUNTRIES VISITED

ADDRESSES SOGIESC ISSUES:

- **Canada** – (November 2018) Report, para. 91.
- **Kyrgyzstan** – (May 2018) Report, paras. 20, 22, 38, 45-48, 100j
- **Armenia** – (September/October 2017) Report, paras. 16, 111(b).
- **Indonesia** – (March/April 2017) Report, paras. 20, 46, 75-79, 83-89, 100, 105, 128(i).
 - **Croatia** – (November/December 2016) Report, paras. 19, 67, 83.
 - **Algeria** – (April/May 2016) Report, paras. 73, 100, 102.
- **Paraguay** – (September/October 2015) Report, paras. 27, 74-79, 85, 129, 131(l).
- **Malaysia** – (November/December 2014) Report, paras 83-90, 92, 111(r), 111(s).
 - **Viet Nam** – (November/December 2011) Report, paras. 43, 63(b).
 - **Ghana** – (May 2011) Report, paras. 21, 59.

DOES NOT ADDRESS SOGIESC ISSUES:

- Nigeria (January 2016)
- Azerbaijan (May 2012)
- Tajikistan (May 2012)
- Japan (November 2012)

ANNUAL THEMATIC REPORTS

A human rights-based approach to health workforce education
July 2019 (74th Session General Assembly (GA))

No SOGIESC references.

The role of the determinants of health in advancing the right to mental health
April 2019 (41st Session Human Rights Council (HRC))

Brief reference to LGBTI and heterosexism.
(In the context of “conversion therapy”, intersectionality and factors affecting social relationships.)
Paras. 19, 55, 56, 86.

Right to mental health of people on the move
July 2018 (73rd Session GA)

No SOGIESC references.

Deprivation of liberty and the right to health
June 2018 (38th Session HRC)

Brief reference to SOGIESC.
(Detaining LGBTI people as a tool of social control; Laws criminalizing, SOGI, HIV, sex work et al. hinder the realization of the right to health; Health services in confinement must be acceptable to LGBTI persons.)
Paras. 8, 19(b), 38.

Corruption and the right to health
July 2017 (72nd Session GA)

No SOGIESC references.

The right to mental health
June 2017 (35th Session HRC)

Brief reference to SOGIESC.
(Mention of pathologization of LGBTI persons; Mental health services must be sensitive and acceptable to LGBTI persons.)
Paras. 48, 58.

The right to health and Agenda 2030
August 2016 (71st Session GA)

Brief reference to SOGIESC.
(LGBTI vulnerable group subject to violence and discrimination.)
Paras. 94, 103(k).

Right to health of adolescents
June 2016 (32nd Session HRC)

Strong reference to SOGIESC.
(Sexual and reproductive health services must be sensitive to and respond to the particular challenges of LGBTI youth; LGBTI adolescents as particularly vulnerable to, inter alia: sexual coercion, violence, “punitive” rape (LBT), harmful therapeutic interventions, HIV infection (GBT), non-consensual surgeries (intersex children), exclusion from health care, and mental health problems.)
Paras. 12, 32, 36-37, 39, 41, 51, 69, 73, 84-85, 87, 94, 113(e).

| | |
|---|---|
| <p>Sports and healthy lifestyles as contributing factors to the right to health June 2016 (32nd Session HRC)</p> | <p>Strong reference to SOGIESC. (Separate LGBTI chapter with paragraphs on transgender and intersex people. Considers homo- and transphobia in sports, incl. corrective rape of lesbians and forced medical “treatment” of intersex persons. Calls for the full and safe participation of LGBTI people in sports, including removal of restrictions for trans, intersex and non-binary athletes.) Paras. 50-54, 55-57, 58-62, 101(g), 101(i).</p> |
| <p>Right to health in early childhood July 2015 (70th Session GA)</p> | <p>Good references to SC. (Subsection on medical interventions and surgeries on intersex children.) Paras 84, 85, 86, 112(m).</p> |
| <p>Work of the mandate and priorities of the Special Rapporteur June 2015 (29th Session HRC)</p> | <p>Brief reference to SOGI. (Call to decriminalize SOGI and consensual same-sex behavior. Criminalization hinders access to health services, fuels social stigma and exclusion, and leads to overall poorer health; Concern at exclusion of LGBT and other groups from sexual and reproductive rights and health.) Paras. 26, 31, 43.</p> |
| <p>Effective and full implementation of the right to health framework August 2014 (69th Session GA)</p> | <p>No SOGIESC references.</p> |
| <p>Unhealthy foods and non-communicable diseases June 2014 (26th Session HRC)</p> | <p>No SOGIESC references.</p> |
| <p>Right to health in conflict situations August 2013 (68th Session GA)</p> | <p>No SOGIESC references.</p> |
| <p>Migrant worker’s right to health June 2013 (23rd Session HRC)</p> | <p>Brief reference to GI. (Transgender sex workers at particular risk of discrimination and abuse; arrest or deportation due to immigration status further discourages their access to health facilities.) Para. 59.</p> |
| <p>Access to medicines in the context of the right-to-health framework June 2013 (23rd Session HRC)</p> | <p>No SOGIESC references.</p> |
| <p>Health financing in the context of the right to health August 2012 (67th Session GA)</p> | <p>No SOGIESC references.</p> |
| <p>Occupational health June 2012 (20th Session HRC)</p> | <p>No SOGIESC references.</p> |

Criminalization of sexual and reproductive health

August 2011 (66th Session GA)

Brief reference to SO.
(Mentioning censorship on discussions of homosexuality in the classroom.)
Para. 59.

Right to health of older persons

September 2011 (18th Session HRC)

No SOGIESC references.

Right to health and development

June 2011 (17th Session HRC)

No SOGIESC references.
(Several paragraphs on sex work in general.)

Report on expert consultation on access to medicines

June 2011 (17th Session HRC)

No SOGIESC references.

COMMUNICATIONS

| COUNTRY/DATE | EXPERTS | SITUATION |
|--------------------------------------|---|--|
| Indonesia 13 February 2019 | Health Privacy SOGI | Information received concerning discriminatory policy proposals and actions by local government officials in West Java province against LGBT people. |
| Canada 19 December 2018 | Cultural Rights Disability Education Freedom of opinion and expression Health SOGI Violence against women Women in law and in practice | 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. |
| Kazakhstan 7 November 2018 | Freedom of opinion and expression Health Human rights defenders SOGI | Drafting of a discriminatory and stigmatizing by-law prohibiting distribution of LGBT-related content to children. |

| | | |
|--|---|--|
| Kenya 21 September 2018 | Arbitrary detention Health Migrants SOGI Torture Water | Allegations of acts of violence, harassment and discrimination against LGBT refugees living in Kenya, their arbitrary arrests, detention and ill-treatment, together with alleged lack of access to food and other basic necessities in Kakuma camp, and lack of appropriate access to HIV/AIDS-related prevention and care. |
| Other actors 21 September 2018 | Arbitrary detention Health Migrants SOGI Torture Water | Allegations of acts of violence, harassment and discrimination against LGBT refugees living in Kenya, their arbitrary arrests, detention and ill-treatment, together with alleged lack of access to food and other basic necessities in Kakuma camp, and lack of appropriate access to HIV/AIDS-related prevention and care. |
| Other actors 18 September 2018 | Health Torture Women in law and in practice | Concerns of discrimination against intersex persons related to the Eligibility regulations for the female classification (athletes with differences of sex development) recently published by the International Association of Athletics Federations (IAAF). |
| Guatemala 31 August 2018 | Health SOGI Women in law and in practice | 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. |
| Russian Federation 9 May 2018 | Disability Freedom of opinion and expression Health Women in law and in practice | Information received concerning the removal of two foster children from the home of Yulia Savinovskih as a result of Savinovskih’s perceived gender identity, linked with the categorisation of “transsexualism” as a mental disorder and stereotyped roles for men and women. |
| Other actors 1 February 2018 | Health Torture | Concerns related to a policy regarding intersex people considered for adoption by the American Academy of Pediatrics (AAP). |
| Other actors 1 February 2018 | Health Torture | Concerns related to a policy regarding intersex people considered for adoption by the American Medical Association (AMA) Council on Ethical and Judicial Affairs (CEJA). |
| Tanzania 7 November 2017 | Arbitrary detention Freedom of assembly and association Freedom of opinion and expression Health Human rights defenders | Arrest and detention of 13 persons, including three lawyers and their clients, participating in consultations on possible strategic litigation challenging the ban on drop-in centres serving key populations at the risk of HIV & raid by the police of the workshop at the Peacock Hotel in Dar es Salaam for “promoting homosexuality”. |

| | | |
|-------------------------------------|---|--|
| 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. |
| 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. |
| Turkmenistan 10 June 2016 | Health Torture | Concerns that the new "Law on combatting the spread of diseases caused by HIV" will negatively impact the right to health of men who have sex with men. |
| Japan 23 May 2016 | Health Torture | Alleged abusive restrictions and discriminatory effects of certain provision contained in Law No. 111 of 2003 regulating legal gender recognition in Japan. |
| Indonesia 19 April 2016 | Freedom of opinion and expression Health Human rights defenders Torture | Alleged harassment, arbitrary detention and risk of torture suffered by LGBT people from Aceh province, due to enforcement of Islamic criminal by-laws; and anti-LGBT public positions and policies adopted by some national government agencies in Indonesia. |
| Pakistan 16 March 2016 | Extrajudicial executions Health Human rights defenders | Alleged threats and subsequent attempted assassination of transgender human rights defender, Adnany, and discriminatory conduct of hospital staff towards her. |
| Senegal 14 December 2015 | Arbitrary detention Health Independence of judges and lawyers | Allegations concerning the arrest and arbitrary detention of seven young men and their conviction for sexual relations between consenting adults of the same sex. |
| Tunisia 2 November 2015 | Arbitrary detention Health Independence of judges and lawyers Torture | Alleged physical abuse, degrading medical exam, irregular judicial proceedings, and sentencing of a 22 years old man solely based on his perceived sexual orientation. |
| Ireland 17 April 2015 | Health Women in law and practice | Allegations regarding the discriminatory effects of certain provisions contained in the Gender Recognition Bill, with concern raised at provisions about mandatory medical certification, and disproportionate safeguards applied to children. |

| | | |
|--|--|---|
| Egypt 8 January 2015 | Arbitrary detention Health Independence of judges and lawyers Torture | Alleged arbitrary arrest, detention, torture and public stigmatization of 26 men who were tried on charges related to their alleged sexual orientation. |
| Kyrgyzstan 6 May 2014 | Freedom of opinion and expression Freedom of assembly and association Health Human rights defenders | Alleged discriminatory consequences and negative impact on the work of HRDs of the draft bill "On the formation of a positive attitude toward non-traditional forms of sexual relations". |
| Uganda 4 February 2014 | Arbitrary detention Freedom of opinion and expression Freedom of assembly and association Health Human rights defenders | Alleged passing by Parliament of a revised version of the Anti-Homosexuality Bill (2009) on 20 December 2013. |
| Nigeria 13 January 2014 | Arbitrary detention Freedom of opinion and expression Freedom of assembly and association Health Human rights defenders | Alleged upcoming signature of the Same Sex Marriage (Prohibition) Bill (2011) by the Senate on 18 December 2013. |
| Republic of Moldova 29 July 2013 | Freedom of opinion and expression Freedom of assembly and association Health Human rights defenders Women in law and in practice | Alleged risk of restrictions on the rights to freedom of expression, association and assembly to LGBT persons and organizations following adoption of Law N° 117 completing the Contravention Code. |
| Nigeria 13 June 2013 | Arbitrary detention Freedom of opinion and expression Freedom of assembly and association Health Human rights defenders | Alleged restrictions on rights to freedom of assembly and association of LGBT groups following the approval of Same Sex Marriage (Prohibition) Bill on 30 May 2013 by House of Representatives. |
| Zambia 14 May 2013 | Freedom of opinion and expression Health Human rights defenders | Alleged criminal charges against human rights defenders and alleged Government campaign against defenders working on LGBTI rights. |
| Nepal 28 March 2013 | Freedom of opinion and expression Freedom of assembly and association Health Human rights defenders Violence against women | Alleged undue delays in registering proceedings of an NGO and alleged instances of harassment and arbitrary arrest of LGBT individuals, Shirju Thapa and Kopila Khadka. |

| | | |
|---|---|--|
| Uganda 21 February 2013 | Freedom of opinion and expression Freedom of assembly and association Health Human rights defenders | Allegations that draft 'anti-homosexuality legislation' would criminalize 'any form of homosexual' act or 'attempt to commit a homosexual act, including consensual sex between same-sex individuals'. |
| Russia 12 December 2012 | Freedom of opinion and expression Health Human rights defenders | Alleged impending first reading of draft federal law introducing amendments to Code on Administrative Offences regarding "propaganda of homosexuality among minors". |
| Cameroon 8 May 2012 | Freedom of opinion and expression Freedom of assembly and association Health Human rights defenders | Allegations on a meeting discussing HIV and human rights of sexual minorities on 27 March 2012, stopped by the authorities who had previously authorized it. |
| Uganda 29 March 2012 | Arbitrary detention Extrajudicial executions Freedom of opinion and expression Freedom of assembly and association Health Human rights defenders | Alleged re-tabling of a Bill which would violate fundamental principles and norms of international human rights law if enacted. |
| Nigeria 20 December 2011 | Freedom of opinion and expression Freedom of assembly and association Health Human rights defenders | Alleged restrictions on rights of LGBT following approval of 'Same-Gender Marriage' Bill on 29 November by Senate. |
| United States of America 19 August 2011 | Migrants Health Torture Violence against women | Alleged torture and ill-treatment in immigration facilities of 16 gay and transgender individuals between May 2009 and July 2011, and reportedly lack of protection from persecution and respect for the principle of non-refoulement. |
| Mexico 14 February 2011 | Freedom of opinion and expression Health Human rights defenders Torture | Alleged detention of LGBT rights activist José Ricardo Maldonado Arroyo, director of 'Red de Personas Afectadas for VIH'. |