

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 December 2021.



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## SPECIAL RAPPORTEUR IN THE FIELD OF CULTURAL RIGHTS

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**Ms. ALEXANDRA XANTHAKI (Greece)**

Since October 2021 (until September 2027)

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### FORMER SPECIAL RAPPORTEURS:

- Ms. Karima BENNOUNE (USA)  
October 2015 - October 2021
- Ms. Farida SHAHEED (Pakistan),  
May 2009 - April 2015  
(former Independent Expert)



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WEBSITE

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## WORK SUMMARY

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### COUNTRIES VISITED

#### ADDRESSES SOGIESC ISSUES:

- **Tuvalu** – (September 2019) Report, paras. 40, 41, 74a.
- **Poland** – (September-October 2018) Report, paras. 3, 15, 54, 57, 65, 67-71, 90, 93(f), 96(g), 96(i).
- **Malaysia** – (September 2017) Report, paras. 39, 40, 72, 75, 82, 93a, 93b.
- **Serbia and Kosovo** – (October 2016) Report, paras. 30, 61, 100c.
  - **Cyprus** – (May-June 2016) Report, para. 31.
- **Russian Federation** – (April 2012) Report, paras. 36, 101-104.

## DOES NOT ADDRESS SOGIESC ISSUES:

- Maldives (June 2019)
- Botswana (November 2014)
- Bosnia and Herzegovina (May 2013)
- Viet Nam (November 2013)
- Saint Vincent and the Grenadines (November 2012)
- Morocco (September 2011)

## ANNUAL THEMATIC REPORTS

<b>Cultural mixing and cultural rights</b> July 2021 (76th Session General Assembly (GA))	No SOGIESC references.
<b>COVID-19, culture and cultural rights</b> February 2021 (46th Session Human Rights Council (HRC))	Good references to LGBT and SOGI (Shrinking civic space, spreading fake information, online harassment, but also opportunity for increased connections in virtual spaces) Paras. 27, 28, 31, 48, 79f.
<b>Climate change, culture and cultural rights</b> August 2020 (75th Session GA)	No SOGIESC references.
<b>Cultural rights defenders</b> January 2020 (41st Session HRC)	Good references to LGBT and SOGI (cultural rights includes LGBT rights, challenges defenders face and need for protection) Paras. 13, 27, 48, 52, 52, 53, 55, 63, 77e.
<b>The importance of public spaces for the exercise of cultural Rights</b> July 2019 (74th Session GA)	Good references to LGBTI & gender-diverse persons (public authorities should ensure protection from shaming, exclusion and abuse in public spaces, including by changing discriminatory attitudes) Paras. 27, 46-48, 89f.
<b>Cultural rights: tenth anniversary report</b> March 2019 (40th Session HRC)	Brief references to LGBTI. Paras. 4, 29, 86, 93c, 100c.
<b>The cultural rights approach to the universality of human rights and the close interrelationship between universality and cultural diversity</b> July 2018 (73rd Session GA)	Good references to SOGI (recognition of diversity, instrumentalization of universality and relativist arguments to exclude certain rights and rights holders from protection) Paras. 8, 34, 37, 53.

**The contribution of artistic and cultural initiatives to creating and developing right-respecting societies**  
March 2018 (37th Session HRC)

Brief references to SOGI and LGBT (cultivating diversity and combating discrimination).  
Paras. 77, 78.

**The impact of fundamentalism and extremism on the cultural rights of women**  
July 2017 (72nd Session GA)

Good references to LBT women, lesbian, SO, LGBT, transgender women (harassment violence by extremists and fundamentalists based on individuals actual or perceived sexual orientation, targeting of lesbian women by conservative groups including through legislation on “promotion” of sexual orientation)  
Paras. 9, 85, 86, 87, 90, 98j.

**The impact of fundamentalism and extremism on the enjoyment of cultural rights**  
March 2017 (34th session HRC)

Strong references to LGBT, SO (LGBT targeted by extremists and fundamentalists as they seek to enjoy their cultural rights, international standards, curtailment of artistic freedom, attacks based on perceived or assumed, hate crime and hate speech against LGBT and pride parades from religious extremists and extreme nationalists, transnational nature of fundamentalisms and extremisms)  
Paras. 3, 23, 29, 40, 67, 83, 86, 87, 88, 89, 97k.

**Intentional destruction of cultural heritage**  
August 2016 (71st Session GA)

No SOGIESC references.

**Mapping of cultural rights and preliminary views on destruction of cultural rights as a violation of human rights**  
March 2016 (31st Session HRC)

Brief references to SOGI and LGBTI (political discourses of exclusion based on SOGI, cultural rights of minority groups).  
Paras. 19, 29, 90c.

**Patent policy and the right to science and culture**  
August 2015 (70th Session GA)

No SOGIESC references.

**Copyright policy and the right to science and culture**  
March 2015 (28th Session HRC)

No SOGIESC references.

<b>The impact of commercial advertising and marketing practices on the enjoyment of cultural rights</b> August 2014 (69th Session GA)	NO SOGIESC references.
<b>Memorialization processes</b> March 2014 (25th Session HRC)	NO SOGIESC references.
<b>The writing and teaching of history (history textbooks)</b> August 2013 (68th Session GA)	No SOGIESC references.
<b>The right to freedom of artistic expression and creativity</b> March 2013 (23rd Session HRC)	Brief reference to SO. Para. 50.
<b>The enjoyment of cultural rights by women on an equal basis with men</b> August 2012 (67th Session GA)	No SOGIESC references.
<b>The right to enjoy the benefits of scientific progress and its applications</b> June 2012 (20th Session HRC)	No SOGIESC references.
<b>The right to access to and enjoyment of cultural heritage</b> June 2011 (17th Session HRC)	No SOGIESC references.

## COMMUNICATIONS

COUNTRY/DATE	EXPERTS	SITUATION
<b>Poland</b> 18 November 2021	Human rights defenders Cultural rights Freedom of opinion and expression SOGI	Information received regarding the criminalisation of a defender of the rights of lesbian, gay, bisexual, trans and gender diverse (LGBT) persons.

<p><b>Afghanistan</b> 24 June 2021</p>	<p>Women and girls Cultural rights Violence against women</p>	<p>Information received concerning the lack of meaningful participation of women in the recent rounds of Afghanistan peace negotiations.</p>
<p><b>Poland</b> 26 February 2021</p>	<p>Cultural rights Freedom of opinion and expression Human rights defenders Freedom of religion SOGI Women and girls</p>	<p>Information received regarding the charges brought against woman human rights defenders in response to their distribution of posters displaying the Virgin Mary with a rainbow halo, symbolising the LGBT flag.</p>
<p><b>Poland</b> 20 January 2021</p>	<p>SOGI Cultural rights Education Freedom of opinion and expression Freedom of assembly and association Health Human rights defenders Freedom of religion Torture Violence against women Women and girls</p>	<p>Information received concerning (i) the increased use of hate speech and violence against lesbian, gay, bisexual, trans and gender diverse (“LGBT”) persons, including the creation of so-called “LGBT Free” zones by municipalities, (ii) restrictions on and attacks against Pride marches, (iii) a proposed bill to criminalize sexuality education, and (iv) restrictions on Polish schools’ initiative “Rainbow Friday”; (v) possible withdrawal from the Istanbul Convention, and (vi) the Polish Episcopal Conference’s calling for the creation of “conversion therapy” clinics.</p>
<p><b>Sri Lanka</b> 27 May 2019</p>	<p>Arbitrary detention Cultural rights Health Housing Internally displaced persons Migrants Minority Issues Racism Freedom of religion Terrorism</p>	<p>Information received concerning the increasing communal violence targeting the religious minorities in Sri Lanka, and in particular Muslims, as well as the reported acts of violence and intimidation threatening the living and security conditions of refugees and asylum seekers belonging to persecuted minorities.</p>
<p><b>Canada</b> 20 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</p>

<p><b>Hungary</b> 12 September 2018</p>	<p>Cultural rights Education Freedom of opinion and expression Women in law and practice</p>	<p>Information received concerning a government directive decertifying and defunding the teaching of gender studies at all Hungarian institutions of higher education on 9 August 2018. Opponents allegedly claim the subject “serves the gay lobby” and is concerned only with the study of “LGBTI communities”.</p>
<p><b>Bosnia and Herzegovina</b> 7 February 2014</p>	<p>Cultural rights Freedom of opinion and expression Freedom of assembly and association Human rights defenders Violence against women</p>	<p>Alleged violent disruption of the Queer Festival Merlinka in Sarajevo, failure of police to provide protection to organizers and participants, and ongoing harassment of LGBT persons in the country.</p>