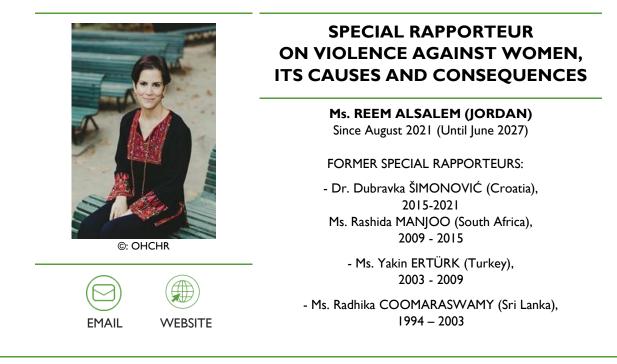
# #33 – UN SPECIAL PROCEDURES & LGBTI ISSUES



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 sent to States between January 2011 and December 2021.



WORK SUMMARY

#### **COUNTRIES VISITED**

#### **ADDRESSES SOGIESC ISSUES:**

- Ecuador (November/December 2019) Report, paras. 18, 38, 41, 84, 91, 103.
  - Bulgaria (October 2019) Report, paras. 4, 6, 9, 11, 21, 30, 31, 38, 62, 65g, 65m
    - Nepal (November 2018) Report, paras. 65, 69, 81c.
  - Canada (April 2018) Report, paras. 20, 34, 50, 51, 52, 55, 90, 95k, 95n, 95ix.
    - Bahamas (December 2017) Report, paras. 23, 36.
    - Australia (February 2017) Report, paras. 18, 96.
  - Argentina (November 2016) Report, paras. 12, 17, 18, 34-38, 49, 82b, 84.
    - Georgia (February 2016) Report, paras. 34, 42, 52.

South Africa - (December 2015) Report, paras. 7, 11, 33, 34, 41-43, 48, 72, 82 (1c, 2k & 4a).

- Honduras (July 2014) Report, paras. 17, 38.
- United Kingdom (March/April 2014) Report, paras. 13, 66, 93, 106, 107b(ii).
  - Azerbaijan (December 2013) Report, paras. 79, 87c.
  - India (April 2013) Report, paras. 7, 19, 50, 78.

**Croatia –** (November 2012) Report, paras. 22, 23, 24, 31.

Bosnia & Herzegovina – (October/November 2012) Report, paras. 31, 32.

## DOES NOT ADDRESS SOGIESC ISSUES:

Palestine (September 2016)Israel (September 2016)

• Afghanistan (November 2014)

• Sudan (May 2015)

- Bangladesh (May 2013)
- Papua New Guinea (March 2012)
- Solomon Islands (March 2012)
  - Somalia (December 2011)

### ANNUAL THEMATIC REPORTS

#### Taking stock of the femicide watch initiative Brief reference to SOGI July 2021 (76th Session GA) (Data collection on femicide of transgender women, call to include hate crimes against lesbians, transgender women, gender-diverse persons, and sex workers in data collection methodologies on femicide) Paras. 48, 56. Rape as a grave, systematic and widespread Brief reference to SOGI human rights violation, a crime and a (Legal protection of gender-diverse persons from rape, manifestation of gender-based violence against call to repeal criminalization of consensual same-sex women and girls, and its prevention relations)

April 2021 (47th Session HRC)

Intersection between the coronavirus disease (COVID-19) pandemic and the pandemic of gender-based violence against women, with a focus on domestic violence and the "peace in the home" initiative July 2020 (75th Session GA) Paras. 72(a), 114.

Brief reference to transgender and non-binary people. (Violence during COVID-19 in Canada.) Para. 62.

United States (January/February 2011)

• Jordan (November 2011)

#### Violence against women journalists May 2020 (44th Session HRC)

Good references to lesbians, LGBT people, LBTI women, LT journalists, LGBTI issues. (In the context of attacks, abuses and harassment experienced by journalists, and retaliation for covering certain issues.) Paras. 46, 51, 54, 57.

No SOGIESC references.

No SOGIESC references.

A human rights-based approach to mistreatment and violence against women in reproductive health services with a focus on childbirth and obstetric violence July 2019 (74th Session GA)

Twenty-five years of the mandate: an analysis of its evolution, current challenges and the way forward June 2019 (41st Session HRC)

Violence against women in politics August 2018 (73th Session GA) Brief reference to LBTI. (LBTI activists among the groups of women in politics who may be more exposed to risks of gender-based violence.) Para. 10, 41.

Online violence against women and girls June 2018 (38th Session HRC) Good references to SOGIE, SOGI and LBT. (SOGIE-based discrimination affecting access of women to technology; LBT women among the groups of women that are particularly targeted by ICT-facilitated violence; particular importance of online anonymity for those facing discrimination and persecution based on SOGI.) Paras. 28, 60.

Adequacy of the international legal framework on violence against women July 2017 (72nd Session GA) Brief reference to LGBT. (LGBT persons listed among the groups of women violence against whom should be addressed by more regulations, according to civil society). Para. 34, 54.

A human rights-based approach to integrated services and protection measures on violence against women, with a focus on shelters and protection orders June 2017 (35th Session HRC) No SOGIESC references.

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Brief references to LBT and SO. (Underreporting of the murders of LBT women mentioned by the Minnesota Coalition for Battered Women; the importance of tracking the victim's sexual orientation, among other categories.) Paras. 57, 59.

Brief reference to SO. (Prohibition of SO-based discrimination among the debated topics during the negotiation of the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa.) Para. 12.

Brief reference to SO. (Prohibition of SO-based discrimination among the debated topics during the negotiation of the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa.) Para. 13.

No SOGIESC references.

No SOGIESC references.

**Vision-setting report** June 2016 (32nd Session HRC)

Modalities for the establishment of

September 2016 (71st Session GA)

femicide/gender-related killings watch

Closing the gap in international human rights law: lessons from three regional human rights systems on legal standards and practices regarding violence against women July 2015 (70th Session GA)

Existing legal standards and practices regarding violence against women in three regional human rights systems June 2015 (29th Session HRC)

Violence against women as a barrier to the effective realization of all human rights

Violence against women: 20 years of developments within the UN June 2014 (26th Session HRC)

Brief references to SOGI. (CSW discussions; HRC resolution; violence and intersecting factors.) Paras. 18, 28, 60.

Strong references to LGBTI. (A separate chapter on LGBTI persons in prison; examples of LGBT persons'/defenders' arrests in Iran.) Paras. 28, 58, 59, 60, 61, 62, 63.

No SOGIESC references.

Violence against women with disabilities August 2012 (67th Session GA)

Good SOGI references. (SOGI in the context of multiple forms of discrimination; problems faced by "lesbians and other sexual minorities who identify as female" with disabilities.) Paras. 13, 27.

Pathways to, conditions and consequences of incarceration for women August 2013 (68th Session GA)

State responsibility for eliminating violence against women June 2013 (23rd Session HRC)

September 2014 (69th Session GA)

**Gender-related killings of women** June 2012 (20th Session HRC)

Continuum of violence against women from the home to the transnational sphere: the challenges of effective redress August 2011 (66th Session GA)

Multiple and intersecting forms of discrimination and violence against women June 2011 (17th Session HRC) Strong references to SOGI and LGBTIQ. (A separate section on "Killings as a result of SO and GI"; other references to SOGI/LGBTIQ in the context of violence.) Paras. 16, 18, 26, 53, 55, 71, 72, 73, 74, 75, 76, 93. Strong references to SOGI, LBT, LGBTI. (Discrimination, stalking and violence, including statistics and case examples.) Paras. 33, 36, 84.

Strong references to SO, SOGI. (Several mentions of sexuality, SO and GI among protected grounds; risk of violence; risk of long-term health consequences.) Paras. 22, 47, 51, 58, 67, 73, 76, 104.

#### COMMUNICATIONS

COUNTRY/DATE	EXPERTS	SITUATION
<b>Israel</b> 27 December 2021	Business Freedom of opinion and expression Freedom of assembly and association Human rights defenders Occupied Palestinian territories Privacy Terrorism Trafficking in persons Violence against women Women and girls	Information received that Pegasus spyware developed by NSO Group Technologies (the NSO Group) was identified in at least six devices belonging to staff members of Palestinian non-governmental organizations only two weeks after the designation of these organizations as "terrorist associations by your Excellency's Government.
Uganda 15 December 2021	SOGI Arbitrary detention health Torture Violence against women Women and girls	Information received concerning the arbitrary arrest and detention of LGBT+ persons in Uganda (44 in Nansana and 16 in Kyengera), followed by violations of their right to health and freedom from torture, cruel, inhuman and degrading treatment.
Honduras 16 November 2021	Human rights defenders Executions SOGI Violence against women	Information received regarding threats and discrimination against lesbian, gay, bisexual and transgender (LGBT) human rights defenders.
Brazil 29 October 2021	Racism African descent Freedom of opinion and expression SOGI Violence against women Women and girls	Information received concerning allegations of incidents of political violence preventing Afro-Brazilian women, particularly transgender Afro-Brazilian women, from accessing representative and decision-making positions in Brazil. Cases of Benny Briolly, Anna Lucia Martins, and Taliria Petrone.

Bulgaria 27 September 2021	Health Privacy SOGI Violence against women	Information received concerning how the right to legal gender recognition is compatible with international human rights standards.
<b>Japan</b> 23 August 2021	SOGI Violence against women Women and girls	Information received concerning the lack of necessary legislation to protect lesbian, gay, bisexual, trans and gender diverse (LGBT) persons from discrimination based on their sexual orientation or gender identity. Shortcomings of the 'Bill for the Promotion of Public Awareness Regarding the Diversity of Sexual Orientation and Gender Identity' announced prior to the Tokyo Olympics.
Ghana 9 August 2021	SOGI Arbitrary detention Education Freedom of opinion and expression Freedom of peaceful assembly and of association Health Human rights defenders Torture Violence against women Women and girls	Information received concerning the tabling of a bill entitled "Promotion of Proper Human Sexual Rights and Ghanaian Family Values Bill, 2021" before the Parliament of Ghana. According to information at our disposal, the first reading of the bill took place on 2 August. The consideration of the bill is expected to resume in October, after Parliamentary recess and public engagement.
<b>Canada</b> 7 July 202 I	Indigenous peoples Racism SOGI Truth, justice, reparation and guarantees of non-recurrence Violence against women	Information received concerning the delay in elaborating a plan of action to implement the recommendations formulated in the 2019 Final Report of the National Inquiry on Missing and Murdered Indigenous Women and Girls and in addressing the systemic causes of violence against indigenous women and girls, as well as Two-Spirit, lesbian, gay, bisexual, transgender, queer, questioning, intersex and asexual (2SLGBTQQIA) people in Canada.
<b>Afghanistan</b> 24 June 2021	Women and girls Cultural rights Violence against women	Information received concerning the lack of meaningful participation of women in the recent rounds of Afghanistan peace negotiations.

<b>Mexico</b> I June 2021	Freedom of assembly and association Extrajudicial executions Freedom of opinion and expression Indigenous peoples Violence against women Women and girls	Information received regarding serious human rights violations committed during the electoral period, which constitute important limitations to the rights to life, non-discrimination, freedom of expression, freedom of association and freedom of political participation. In addition, the alleged attacks on electoral institutions represent a source of concern. We would also like to point out our concern about the worrisome situation of journalists, which is exacerbated by the electoral context.
<b>Tunisia</b> 6 April 2021	Arbitrary detention Freedom of opinion and expression Freedom of peaceful assembly and of association Human rights defenders SOGI Violence against women Women and girls	Information received regarding the arrest and arbitrary detention of Rania Amdouni, and the acts of harassment, intimidation, online defamation and incitement to violence, including death threats and rape, and physical and verbal assaults to which she was subjected.
<b>Malaysia</b> 18 March 2021	SOGI arbitrary Detention religion or belief violence against women women and girls	Information received concerning threats, acts of intimidation and persecution against Nur Sajat, a trans woman, and the ongoing harassment of her family members in Malaysia.
Poland 20 January 2021	SOGI Cultural rights Education Freedom of opinion and expression Freedom of peaceful assembly and of association Health Human rights defenders Religion or belief Torture Violence against women Women and girls	Information received concerning (i) the increased use of hate speech and violence against 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.
<b>Pakistan</b> 12 January 2021	Executions Human rights defenders SOGI Violence against women Women and girls	Information received concerning attacks on transgender rights defenders in Pakistan Ms. Nayyab Ali and Ms. Heera Malik.

<b>Colombia</b> 20 November 2020	Women and girls Arbitrary Detention Migrants SOGI Torture Violence against women	Information received regarding the situation of four trans women from Venezuela who were allegedly arbitrarily detained and beaten by police officers in the municipality of Maicao, Colombia.
Honduras 25 September 2020	Disappearances Executions Human rights defenders SOGI Violence against women Women in law and in practice	Information received regarding the violent death and disappearance of several human rights defenders in Honduras, as well as threats and harassment against them, in what appears to be a high-risk situation for human rights defenders.
<b>Nepal</b> 21 September 2020	SOGI Violence against women Women in law and in practice	Information received concerning amendments to the Citizenship Act currently under debate in Parliament, which proposes positive changes to the legislation now in force in the country.
<b>Romania</b> I I September 2020	Education Freedom of opinion and expression Health SOGI Violence against women Women in law and in practice	Information received concerning proposed bills that reportedly (i) prohibit sexual education unless there is parental written consent, and (ii) impose a blanket ban on a discussion regarding "gender theory or opinion" in Romanian educational establishments.
<b>Cambodia</b> I May 2020	Violence against women Cambodia Freedom of opinion and expression Freedom of assembly and association Human Rights defenders SOGI Women in law and in practice	Information received concerning the alleged arbitrary arrest and detention of Ms. Ven Rachana, an online clothes seller, and Ms. Morn Eva, a transgender woman. We also refer to the comments made by Government officials targeting human rights NGOs that issued a statement in defence of women's rights following their detention.
<b>Uganda</b> 23 April 2020	SOGI Arbitrary detention Health Torture Violence against women Women in law and in practice	Information received concerning the alleged arbitrary arrest of 23 people and detention of 19 of them, including gay, bisexual, and trans women in Kyengera, Uganda.
<b>Hungary</b> 14 April 2020	SOGI Health Privacy Violence against women	Information received concerning a proposed bill, submitted to the Hungarian Parliament, that would make it impossible for trans and gender diverse people to legally change their sex/gender.
<b>Kazakhstan</b> 25 October 2019	Freedom of opinion and expression Freedom of assembly and association Human Rights defenders SOGI Violence against women Women in law and in practice	Information received concerning the discriminatory restrictions on the rights to freedom of peaceful assembly, freedom of association and freedom of expression of LBTIQ human rights defenders, which may relate to their engagement in advocacy on human rights related to sexual orientation, gender identity and gender equality.

Honduras 7 October 2019	Executions Freedom of opinion and expression Human Rights defenders SOGI Violence against women Women in law and in practice	Information received on the murder of Ms. Bessy Ferrero Sánchez and the attempted murder of Ms. Vicky Carvajal, both trans women human rights defenders working with LGBTI people and members of the Colectivo de Mujeres Trans Muñecas of the Asociación ARCOIRIS.
<b>Kazakhstan</b> 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.
<b>Mauritius</b> 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.
<b>Armenia</b> 18 April 2019	Extrajudicial executions Freedom of opinion and expression Human rights defenders SOGI Violence against women	Information received concerning online harassment and hate speech against woman human rights defender Ms. Lara Aharonian and trans human rights defender Ms. Lilit Martirosyan.
<b>Brunei</b> Darussalam I April 2019	Extrajudicial executions Freedom of religion SOGI Torture Violence against women Women in law and in practice	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.
<b>Egypt</b> 20 March 2019	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	Information received concerning the alleged arbitrary arrest and detention of transgender woman and LGBTIQ human rights defender, Ms. Malak Al-Kashif.
Russian Federation 11 February 2019	Arbitrary detention Extrajudicial executions Freedom of opinion and expression SOGI Torture Violence against women Women in law and in practice	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.
<b>Honduras</b> 9 January 2019	Freedom of opinion and expression Human rights defenders SOGI Violence against women Women in law and in practice	Information received in relation to threats directed against the human rights defender, Ms. Indyra Mendoza.

<b>Brazil</b> 31 December 2018	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	Follow-up to the communication on the murders of Ms. Marielle Franco and her driver.
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 sexual orientation and gender identity and the need for acceptance and appreciation of diversity along with further discussion around sexual orientation and gender identity 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.
<b>Malaysia</b> 16 November 2018	SOGI Torture Violence against women Women in law and in practice	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.
<b>Brazil</b> 22 March 2018	African descent Extrajudicial executions Foreign debt Housing Human rights defenders Poverty Racism SOGI	Killing of Marielle Franco and her driver on 14 March 2018. Franco was an Afro- Brazilian human rights defender working for the rights of women, people of African descent, LGBT people, young people in the favelas of Rio de Janeiro and socially excluded communities. She identified herself as a woman, as a feminist, as black,

	Violence against women Women in law and in practice	as favelada, as bisexual and as married to another woman.
Honduras 9 March 2018	Extrajudicial executions Freedom of opinion and expression SOGI Torture Violence against women	Information received in connection with the recent murder of a transgender woman, Jennifer Cristal López (José Denis Ramos Gámes) and a gay man, Jorge Antonio Rodas García, in Puerto Cortés.
Honduras 10 July 2017	Extrajudicial executions Freedom of assembly and association Human rights defenders SOGI Violence against women Women in law and in practice	Information received in connection with the recent murder, in the vicinity of the capital, Tegucigalpa, of a transsexual woman, who was also an LGBTI rights activist, Ms. Sherlyn Montoya.
<b>El Salvador</b> 26 May 2017	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	Information received regarding 3 murders of 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.
Brunei Darussalam 25 September 2014	Arbitrary detention Independence of judges and lawyers Torture Violence against women	The 2013 Shariah Penal Code Order: mandatory death penalty for some non- violent acts, including same-sex relations.
<b>Egypt</b> 17 April 2014	Arbitrary detention Independence of judges and lawyers Torture Violence against women	Alleged arrest, detention, conviction and sentencing of four individuals on the sole basis of their sexual orientation and/or gender identity.
<b>Bosnia &amp;</b> Herzegovina 7 Feb 2014	Cultural rights Freedom of opinion and expression Freedom of assembly and association Human rights defenders Violence against women	Alleged violent disruption of the Queer Festival Merlinka in Sarajevo.
<b>Kuwait</b> 5 February 2014	Arbitrary detention Violence against women Women in law and in practice	Allegations of arbitrary arrest and detention of a Kuwaiti national on the basis of her gender identity and expression. She was reportedly charged with "imitation of the opposite sex", which is a criminal offence under Amendment 198 of the Kuwaiti Penal Code.
<b>Iran</b> 28 June 2013	Extrajudicial executions Freedom of religion Iran Torture Violence against women Women in law and in practice	The revised Islamic Penal Code: death penalty for some non-violent acts, including "for sodomy for the non-Muslim party in same-sex relations."

<b>Nepal</b> 28 March 2013	Freedom of opinion and expression Human rights defenders Violence against women	Alleged intimidation of and threats against women and LGBTI human rights defenders, reportedly as a result of their support of a victim of domestic violence, following her self-identification as a lesbian.
United States of America 18 February 2013	Indigenous peoples Violence against women	Regarding Bill S. 47 on the reauthorization of the Violence Against Women Act (VAWA), under consideration by the House of Representatives. The Bill would bolster indigenous tribes' ability to prosecute cases involving violence against indigenous women, and enhances protections for Native American and Alaskan Native women, LGBT persons, immigrants and their children.
<b>Nepal</b> 14 Sep 2012	Freedom of opinion and expression Freedom of assembly and association Health Human rights defenders Violence against women	Alleged undue delays in registration proceedings of a non-governmental organization, and alleged instances of harassment and arbitrary arrest on the part of the authorities against LGBT individuals.
<b>Turkey</b> 30 Nov 2011	Human rights defenders Violence against women	Alleged arbitrary arrest and sentencing of three women human rights defenders and members of the Pink Life Lesbian, Gay, Bisexual, Transvestite and Transsexual Solidarity Association.
United States 19 Aug 2011	Health Migrants Torture Violence against women	Alleged torture and ill-treatment towards 16 gay and transgender individuals in immigration facilities.
Honduras 18 May 2011	Executions Violence against women	Alleged murders of 31 lesbian, gay, bisexual, transgender and transvestite people during the course of 18 months in the country.
South Africa 18 May 2011	Freedom of opinion and expression Human rights defenders Torture Violence against women	Alleged "corrective" rape of a lesbian woman.