



**40th Human Rights Council Session
Item 6 - UPR Outcome China**

14 March 2019

Statement by: International Lesbian and Gay Association

Delivered by: Diana Carolina Prado Mosquera

Mr. President,

This statement is made in consultation with a coalition of Chinese LGBT organizations.

China received six recommendations related to the prohibition of violence and discrimination on the basis of sexual orientation and gender identity.

We commend China's recent progress in enhancing judicial protection against employment discrimination for all its citizens through the inclusion of employment equality as a category of the cause of civil cases. However, the Chinese government still needs to work towards the provision of inclusive and explicit protection against discrimination on SOGI grounds not just in employment, but in all legislation and also in law enforcement and judicial proceedings.

Mr. President,

LGBT children and youth in China suffer from school violence and bullying, and lack of comprehensive sex education. China accepted six recommendations on the prohibition against discrimination and assurance of equal protection for all LGBT people, regardless of their ages. We therefore encourage the Chinese government to live up to its commitment and ensure the Protection of Minors Law, currently under revision, be explicitly inclusive of equal protection for LGBT minors and adolescences.

Though China allows gender affirmation surgery, there still exists pathologization of transgender identity as the prerequisite to change gender markers on IDs. We call on the government of China to fully ensure the transgender people's right to legal recognition of their gender identity in all settings, including their right to change gender markers on education certificates.

The use of cultural relativism is a convenient way for many governments to shirk their responsibility to protect universal human rights. We hope China will move away from using it as a pretext to justify SOGI exclusion, and continue to strengthen human rights protection for all its citizens, without distinction, restriction or exclusion.

I thank you Mr. President