

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 November 2020.



©: OHCHR

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

Ms. TLALENG MOFOKENG (South Africa)

Since August 2020 (Until June 2026)

FORMER SPECIAL RAPPOREURS:

- Mr. Dainius PŪRAS (Lithuania),
2014 – 2020
- Mr. Anand GROVER (India),
2008 – 2014
- Mr. Paul HUNT (New Zealand),
2002 – 2008



EMAIL



WEBSITE

WORK SUMMARY

COUNTRIES VISITED

ADDRESSES SOGIESC ISSUES:

- **Ecuador** – (September 2019) Report, paras. 40, 58-60, 61, 62, 77p.
 - **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).

DOES NOT ADDRESS SOGIESC ISSUES:

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

ANNUAL THEMATIC REPORTS

Commentary on the COVID-19 Pandemic
July 2020 (75th Session General Assembly (GA))

Brief references to LGBT and gender-diverse persons, same-sex sexual activity and transgender persons. (Vulnerable situation during COVID-19 crisis; positive trends)
Paras. 66, 98.

Mental Health and Human Rights: Setting a Rights-based Global Agenda
April 2020 (44th Session Human Rights Council (HRC))

Brief reference to SOGI. (In the context of intersectional discrimination.)
Para. 61.

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

No SOGIESC references.

The role of the determinants of health in advancing the right to mental health
April 2019 (41st Session 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).

Sports and healthy lifestyles as contributing factors to the right to health
June 2016 (32nd Session HRC)

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).

Right to health in early childhood
July 2015 (70th Session GA)

Good references to SC.
(Subsection on medical interventions and surgeries on intersex children.)
Paras 84, 85, 86, 112(m).

Work of the mandate and priorities of the Special Rapporteur
June 2015 (29th Session HRC)

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.

Effective and full implementation of the right to health framework
August 2014 (69th Session GA)

No SOGIESC references.

Unhealthy foods and non-communicable diseases
June 2014 (26th Session HRC)

No SOGIESC references.

Right to health in conflict situations
August 2013 (68th Session GA)

No SOGIESC references.

Migrant worker’s right to health
June 2013 (23rd Session HRC)

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.

Access to medicines in the context of the right-to-health framework
June 2013 (23rd Session HRC)

No SOGIESC references.

Health financing in the context of the right to health
August 2012 (67th Session GA)

No SOGIESC references.

Occupational health
June 2012 (20th Session HRC)

No SOGIESC references.

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
United Republic of Tanzania 16 November 2020	Freedom of opinion and expression Freedom of assembly and association Health SOGI	Information received concerning several provisions of the “Electronic and Postal Communications (online content) Regulations, 2020 (Cap 306)” published on 17 July 2020, which could undermine the rights to freedom of opinion and expression, freedom of peaceful assembly and of association, the right to privacy and the right to health.
Romania 11 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.

<p>Republic of Korea 29 July 2020</p>	<p>SOGI Health Privacy Women in law and in practice</p>	<p>Information received concerning the dismissal of a soldier, Staff Sergeant Byun Hui-Su, following surgery to affirm her gender identity.</p>
<p>Turkey 22 July 2020</p>	<p>SOGI Executions Freedom of opinion and expression Health Human Rights defenders Freedom of religion</p>	<p>Information received concerning the use of hate speech against LGBT persons by religious leaders and public officials in Turkey.</p>
<p>United States of America 8 June 2020</p>	<p>African descent Arbitrary detention Disability Extrajudicial executions Freedom of opinion and expression Freedom of assembly and association Hazardous substances Health Housing Independent of judges and lawyers Mercenaries Minority issues Older persons Poverty Racism SOGI Torture</p>	<p>Information received concerning several recent killings of people of African descent in apparently State-endorsed operations in the United States.</p>
<p>United States of America 13 May 2020</p>	<p>Executions African descent Health Minority issues Racism SOGI Torture</p>	<p>Information received concerning the situation in prisons and other detention facilities/establishments in the United States of America in light of COVID-19 exposure-related risks.</p>
<p>Uganda 23 April 2020</p>	<p>SOGI Arbitrary detention Health Torture Violence against women Women in law and in practice</p>	<p>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.</p>
<p>Hungary 14 April 2020</p>	<p>SOGI Health Privacy Violence against women</p>	<p>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.</p>
<p>Argentina 22 November 2019</p>	<p>Independence of judges and lawyers Health Human Rights defenders SOGI</p>	<p>Information received regarding the alleged reprisals and harassment suffered by attorney Mario Luis Coriolano in the exercise of his functions as Ombudsman of Cassation, as well as the alleged physical and psychological abuse</p>

	Torture	and lack of medical attention with very serious consequences for his health suffered by Mónica Mego Velayresse, a trans woman who is being held in a prison in the Province of Buenos Aires.
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 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	Alleged re-tabling of a Bill which would violate fundamental principles and norms of international human rights law if enacted.

	Health Human rights defenders	
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'.